

PLATINUM | ADVISORS

November 13, 2023

TABLE 1: BOARD ADOPTED ITEMS

Bill	Subject	Status	Adopted Position
<p>AB 96 (Kalra D) Public employment: local public transit agencies: autonomous transit vehicle technology</p>	<p>AB 96 proposes a process that would require a transit operator to inform labor representatives of the operators’ intent to use autonomous vehicle technology.</p>	<p>Signed Into Law Chapter 419, Statutes of 2023</p>	<p>WATCH</p>
<p>AB 316 (Aguilar-Curry D) Vehicles: autonomous vehicles.</p>	<p>AB 316 would prohibit the operation of an autonomous vehicle with a gross vehicle weight of 10,001 pounds or more on public roads for testing purposes, transporting goods, or transporting passengers unless a human safety operator is physically present at the time operation.</p> <p>The veto message stated, “I am returning Assembly Bill 316 without my signature. Among its provisions, this bill would ban driverless testing and operations of heavy-duty autonomous vehicles. Assembly Bill 316 is unnecessary for the regulation and oversight of heavy-duty autonomous vehicle technology in California, as existing law provides sufficient authority to create the appropriate regulatory framework.” The veto message went on to point out</p>	<p>Vetoed</p>	<p>Watch</p>

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	<p>the on-going regulatory work of the DMV on the use of autonomous light and heavy-duty vehicles and highlighted the Administrations concerns and effort to address the impact of technology on the future of work.</p>		
<p>AB 413 (Lee D) Vehicles: stopping, standing, and parking.</p>	<p>AB 413 amends the Vehicle Code to require “daylighting” at all intersections. Specifically, the bill prohibits a person from stopping, parking, or leaving standing any vehicle within 20 feet of the vehicle <i>approach side</i> of a marked or unmarked crosswalk.</p> <p>The bill was also amended to allow a city or county to use the daylighted area for delivery vehicles if the area is marked by paint or signage. In addition, the bill limits local jurisdictions to issuing only warnings for illegally parked vehicles prior to January 1, 2025, unless the area is marked using paint or a sign.</p>	<p>Signed Into Law Chapter 652, Statutes of 2023</p>	<p>Support & Seek Amendments</p>
<p>AB 463 (Hart D) Electricity: prioritization of service: public transit vehicles</p>	<p>The goal of AB 463 is to ensure utilities take into consideration the electricity needs to charge electric buses when planning for power shutoffs.</p> <p>This measure would require the CPUC to consider the economic, social equity, and mobility impacts of a temporary power discontinuance to customers that rely on electrical service to operate public transit vehicles. In addition, AB 463 would require electric utilities to include in their public safety power shutoff plans protocols related to mitigating those public safety impacts on public transit vehicle charging infrastructure.</p>	<p>Assembly Appropriations Suspense File Two-Year Bill</p>	<p>SUPPORT</p>

Bill	Subject	Status	Adopted Position
<p><u>AB 557</u> (Hart D) Open meetings: local agencies: teleconferences.</p>	<p>AB 557 would extend indefinitely the existing authorization for local legislative bodies with a majority vote to hold remote meetings if a proclaimed state of emergency exists.</p> <p>Specifically, AB 557 would eliminate the January 1, 2024, sunset date on provisions of law authorizing remote meetings during a proclaimed state emergency. The bill also changes the requirement to reauthorize the use of remote meetings from every 30 days to every 45 days.</p>	<p>Signed Into Law</p> <p>Chapter #534, Statutes of 2023</p>	<p>Support</p>
<p><u>AB 645</u> (Friedman D) Vehicles: speed safety system pilot program.</p>	<p>AB 645 would create the Speed Safety System Pilot Program. The program would authorize the Cities of Oakland, Los Angeles, San Jose, Glendale, Long Beach, and San Francisco to use an automated system to detect and issue citations for speeding.</p> <p>The bill includes provisions specifying the steps each city must comply with, such as adopting a Speed Safety System Use Policy and Speed Safety System Impact Report. These steps include conducting a 30-day public education campaign before commencing and issuing only warning citations for the first 60 days of operation. The bill also includes privacy protection provisions.</p> <p>AB 645 also limits the number of automated systems that can be used based on the population of the city. The bill also limits placement of the systems to school zones, areas where a high number of speed</p>	<p>Signed Into Law</p>	<p>SUPPORT</p>

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	contests occur, and streets designated as a safety corridor as specified in existing law.		
<p><u>AB 719</u> (Boerner D) Medi-Cal benefits.</p>	<p>AB 719 would require the Department of Health Care Services to require managed care plans to contract with public transit operators for the purpose of establishing reimbursement rates for nonmedical and nonemergency medical transportation trips provided by a public transit operator.</p> <p>While we may not agree with his reasoning, Governor Newsom stated in his veto message, <i>“I support efforts to encourage more public paratransit service operators to enroll as nonmedical transportation providers in Medi-Cal, which is permitted under existing law. It would be beneficial to have more options for nonmedical transportation in the Medi-Cal system. This bill takes a different approach, however, requiring the Department of Health Care Services (DHCS) to pursue a series of federal approvals that are not currently allowable under federal guidance. It would not be prudent to use state resources for this purpose.”</i></p>	Vetoed	SUPPORT
<p><u>AB 761</u> (Freidman D): Transit Transformation Task Force.</p>	<p>AB 761 was incorporated into the budget trailer bill on transportation, SB 125.</p> <p>AB 761 would require the California Transportation Agency (CalSTA) to convene, by July 1, 2024, a statewide task force to explore opportunities to regrow ridership through strategies such as integrated fares, coordinated service planning to</p>	Senate Transportation Two-Year Bill	WATCH

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	<p>adapt to changing travel needs, consistent wayfinding, improvements to transit priority on roads, and workforce training and retention. The Task Force would also review the state’s systems for oversight and reporting to improve accountability.</p>		
<p><u>AB 817</u> (Pacheco D) Open meetings: teleconferencing: subsidiary body.</p>	<p>AB 817 would authorize a “subsidiary body” to remotely hold a public meeting if specified conditions are met.</p> <p>The bill defines a subsidiary body to include:</p> <ul style="list-style-type: none"> • certain types of commissions, committees, or other body as defined in paragraph (b) of Government Code Section 54952, • a body that serves exclusively as an advisory body, • a body that is not authorized to take final action on any contract, legislation, regulation, or permit. <p>AB 817 would also require the members of the body to participate through both audio and visual technology. The public must be able to participate in the body’s proceedings either by phone line or through an internet-based platform.</p>	<p>Assembly Local Government</p> <p>2-Year Bill</p>	<p>SUPPORT</p>
<p><u>AB 819</u> (Bryan D) Crimes: public transportation: fare evasion.</p>	<p>AB 819 would remove the option of incarcerating and charging someone with a misdemeanor for fare evasion. Specifically, the bill provides that a third or subsequent fare evasion violation, as specified, is no longer a misdemeanor punishable by imprisonment</p>	<p>Vetoed</p>	<p>SUPPORT</p>

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	<p>in county jail for a period of not more than 90 days and shall be a fine of not more than \$400.</p> <p>Governor Newsom stated he is returning AB 819 because, <i>“Fare evasion continues to be an issue for transit operators across the state, costing them tens of millions of dollars a year. According to one operator, the bulk of the crimes committed in their system are committed by people who have not paid a fare. I cannot take an action to reduce penalties on fare evasion that could, in turn, contribute to an increase in crime on transit.”</i></p>		
<p><u>AB 1379</u> <u>(Papan D)</u> Open meetings: local agencies: teleconferences.</p>	<p>AB 1379 would amend the Brown Act to allow a legislative body to hold meetings in any combination of in person or remote participation. The hearing on AB 1379 scheduled in the Local Government Committee this week was cancelled, making this a two-year bill that will not be heard this session.</p> <p>The bill specifies a quorum can be established by any of the following:</p> <ul style="list-style-type: none"> • Consisting of members participating remotely. • Consisting of members participating at a designated location. • Consisting of members participating remotely and at a designated location. <p>AB 1379 specifies that the “singular designated physical meeting location” must be open to the</p>	<p>Assembly Local Government</p> <p>Two-Year Bill</p>	<p>SUPPORT</p>

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	public and located within the legislative body's jurisdiction.		
<p><u>AB 1525</u> (Bonta D) Transportation Agency: allocations for projects in priority populations</p>	<p>AB 1525 requires at least 60 percent of all moneys allocated for projects administered by the State Transportation Agency (CalSTA), the Department of Transportation (Caltrans), or the California Transportation Commission fund projects located in disadvantaged communities and benefit priority populations.</p> <p>While this bill was approved by the Assembly Transportation Committee, several members expressed concerns with the structure of the bill and encouraged Assemblywoman Bonta to work with the opposition. The general tone from the committee was this is a very difficult but necessary issue to tackle.</p> <p>The bill requires that, by July 1, 2024, CalSTA have a system in place to evaluate every project to ensure specified benefits accrue to disadvantaged communities. It further requires a "third-party governmental entity" to audit how CalSTA, Caltrans and the CTC evaluate, select, and fund projects in disadvantaged communities.</p>	<p>Assembly Appropriations Held on Suspense File 2-Year Bill</p>	<p>Support in Concept</p>
<p><u>ACA 1</u> (Aguiar-Curry D) Local government financing: affordable housing and public</p>	<p>ACA 1 would lower the voter threshold for property tax increases, parcel taxes and sales taxes to 55% if the funds are used for affordable housing and infrastructure projects. This includes capital improvements to transit and streets and highways.</p>	<p>Approved Will be placed on the November 2024 ballot.</p>	<p>SUPPORT</p>

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<p>infrastructure: voter approval.</p>	<p>ACA 1 was amended to include specific conditions on the use of funds as outlined below:</p> <ul style="list-style-type: none"> • Imposes a 5% cap on administrative costs for projects funded by propositions approved with a 55% vote. • The proceeds of the tax shall only be spent on projects and programs that serve the jurisdiction of the local government. • Requires annual audits to be submitted to the California State Auditor for review. • Requires the creation of a citizen oversight committee, and the members of that committee shall receive educational training on local taxation and fiscal oversight. • An entity owned or controlled by a local official that votes on whether to put a proposition on the ballot pursuant will be prohibited from bidding on any work funded by the proposition. • If the voters of the local government have previously approved a tax pursuant to ACA 1, the local government shall not place a proposition on the ballot pursuant to this section until all funds from the previous proposition are committed to programs and projects listed in the specific local program or ordinance. • The legislature by a 2/3 vote may enact laws establishing additional accountability measures. 		

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	<i>ACA 1 does not allow for the 55% local measure to use the tax revenue for transit operations.</i>		
<p><u>SB 411</u> (Portantino D) Open meetings: teleconferences: bodies with appointed membership</p>	<p>SB 411 authorizes a neighborhood council within the City of Los Angeles, to use alternate teleconferencing provisions related to notice, agenda, and public participation, subject to certain requirements and restrictions, if the city council has adopted an authorizing resolution and two-thirds of an eligible legislative body votes to use the alternate teleconferencing provisions.</p> <p>The provisions of SB 411 susnet on January1, 2026, and require that, at least once per year, at least a quorum of the members of the eligible legislative body must participate in person from a singular physical location.</p>	<p>Signed Into Law Chapter #605, Statutes of 2023</p>	<p>WATCH</p>
<p><u>SB 434</u> (Min D) Transit operators: street harassment survey.</p>	<p>SB 434 requires the top ten public transit operators, upon appropriation of funds by the Legislature for this purpose, to collect and publish survey data, as specified, and conduct outreach activities, as specified, for the purpose of informing their efforts to improve the safety of riders and reduce street harassment on public transit. Requires transit operators, by December 31, 2024, to publish the survey data on their websites and inform the Governor and the Legislature.</p> <p>SB 434 furthers the goals of SB 1161 (Min) from last session. AC Transit adopted a support position on SB 1161. As signed into law SB 1161 directed the</p>	<p>Signed Into Law Chapter #396, Statutes of 2023</p>	<p>SUPPORT</p>

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	<p>Mineta Transportation Institute to develop the survey content. If funding is available, SB 434 would require the top ten transit operators to conduct and publish the results of the survey.</p>		
<p><u>SB 532</u> (Wiener D) San Francisco Bay area toll bridges: toll increase: transit operating expenses.</p>	<p>Given ongoing negotiations with several Bay Area legislators, Senator Wiener has decided to hold SB 532 in the Assembly Appropriation Committee making it a two-year bill that will be revisited next year.</p> <p>In light of the fiscal crisis facing public transit, Senator Wiener has amended SB 532 to propose a \$1.50 increase in tolls paid on all state-owned toll bridges in the Bay Area. Toll increase would be imposed starting January 1, 2024, and the increase would stop on December 31, 2028.</p> <p>The bill directs 90% of the revenue generated would be used to avoid service cuts and maintain service levels, including safety and security needs. The remaining 10% of revenue would be used to assist transit operators in planning and reconfiguring transit service.</p>	<p>Assembly Appropriations</p> <p>Two-Year Bill</p>	<p>SUPPORT</p>
<p><u>SB 617</u> (Newman D) Public contracts: progressive design-build: local and regional agencies.</p>	<p>SB 617 authorizes transit agencies and regional transportation planning agencies (RTPA) to utilize progressive design-build procurement method, through January 1, 2029.</p> <p>Current law authorizes transit agencies to utilize design-build procurement until January 1, 2025, on</p>	<p>Signed Into Law</p> <p>Chapter #310, Statutes of 2023</p>	<p>Support</p>

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	<p>contracts in excess of \$1 million. SB 617 allow for the use of “progressive design-build procurement.”</p> <p>Progressive design-build procurement is a new variation of design-build that utilizes a two-step process. In the first step, the local agency uses a best value process to select a design-build entity who completes preliminary plans and preconstruction services necessary to provide a cost estimate and final design proposal. The project then “progresses” to the second step, where the local agency and the design-build entity agree to a final design, project cost, and schedule. If an agreement cannot be reached the local agency and the design-build entity can part ways, but the local agency can still use the work acquired during the initial phase.</p>		
<p><u>SB 747</u> <u>(Caballero D)</u> Land use: economic development: surplus land.</p>	<p>SB 747 makes numerous changes to the Surplus Land Act (SLA) to clarify procedures and provide local agencies with economic development opportunities pursuant to Economic Opportunity Law (EOL). SB 747 continues to prioritize affordable housing production while also providing much needed statutory clarity to allow for a more tailored, community-driven approach to disposal and development of surplus land. This includes specific provisions on the development of property owned by a public transit operator.</p>	<p>Signed Into Law Chapter #786, Statutes of 2023</p>	<p>SUPPORT</p>