

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

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**MEETING DATE:** 8/10/2022

**Staff Report No. 22-438**

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**TO:** AC Transit Board of Directors  
**FROM:** Michael A. Hursh, General Manager  
**SUBJECT:** Monthly Legislative Report

### ACTION ITEM

**AGENDA PLANNING REQUEST:** ☐

**RECOMMENDED ACTION(S):**

Consider receiving the Monthly Legislative Report and approval of legislative positions, if necessary.

**STRATEGIC IMPORTANCE:**

Goal - Strong Public and Policymaker Support  
Initiative - Financial Efficiency and Revenue Maximization

The Monthly Legislative Report helps the District track state, regional and federal legislation to ensure alignment with the District's Strategic Plan and the specific goal of having strong public and policy maker support. Policy decisions at all levels of government can positively or negatively affect District operations and revenues and as such, are important to track and influence as needed.

**BUDGETARY/FISCAL IMPACT:**

There is no budgetary or fiscal impact associated with this report.

**BACKGROUND/RATIONALE:**

Federal Update

The House is expected to take up the FY 2023 Transportation, Housing & Urban Development (THUD) Appropriations bill, which has been combined with five other appropriations bills, the week of July 17. At the time this staff report was composed the Senate had yet to release text or officially set a markup schedule for its version of the transportation spending bill and other appropriations packages. It is expected, however, that the Senate will unveil its slate of fiscal 2023 appropriations bills at the end of July.

On July 7, USDOT released a new proposed rule that would require state DOTs and metropolitan planning organizations that have National Highway System mileage within their geographic boundaries (which includes the Metropolitan Transportation Commission / Association of Bay Area Governments) to "establish declining carbon dioxide (CO2) targets and to establish a method for the measurement and reporting of greenhouse gas (GHG) emissions associated with transportation." Critics of the proposal quickly pointed to the recent

Supreme Court ruling limiting the Environmental Protection Agency's climate authority over power plants, arguing that the same legal reasoning would indicate the climate goals being proposed are beyond the Federal Highway Administration's authority.

Congress' summer recess ends on August 31.

#### State Update

The Legislature will reconvene from its summer recess on August 1. The first week will be spent sorting through the more than 840 measures pending in Assembly and Senate Appropriations Committees. The remainder of the month will focus on floor sessions to act on bills by the August 31 end-of-session deadline. Staff continues to work on advancing our priority legislation, as summarized in Attachment 3. This includes continued negotiations on SB 917, the Seamless Transit Transformation Act. AC Transit submitted a letter to Senator Becker on July 21 which emphasized our continued concerns with the bill and its potential to negatively impact our agency and the communities we serve. See Attachment 6.

September 30 is the last day by which the Governor must sign or veto bills.

Updates on priority legislation:

1. AB 2622 (Mullin): Extend existing sales and use tax exemption for zero-emission technology transit buses sold to public agencies. An agreement was reached to extend the sunset date by two years, to January 1, 2026. AB 2622 is scheduled to be heard in the Senate Appropriations Committee on August 1.
2. Reimbursement to transit agencies for non-medical transportation was not included in the state's FY 22 -23 budget. Staff will revisit this item for next year.
3. AB 455 (Wicks): Dedicated transit lanes on the Bay Bridge. AB 455 was placed on the Senate Appropriations' Suspense File on June 27.

#### **ADVANTAGES/DISADVANTAGES:**

This report is provided to inform the Board of monthly legislative activities. Ensuring favorable legislation is adopted by policymakers helps further the District's goal of having strong public and policymaker support.

#### **ALTERNATIVES ANALYSIS:**

There were no alternatives considered as this report provides an update of monthly legislative activities.

#### **PRIOR RELEVANT BOARD ACTION/POLICIES:**

Staff Report No. 21-541: 2022 Federal and State Advocacy Programs

#### **ATTACHMENTS:**

1. Federal Update
2. State Update
3. State Matrix
4. 2022 Federal Advocacy Program

- 5. 2022 State Advocacy Program
- 6. Letter to Senator Becker re: SB 917

**Prepared by:**

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**Approved/Reviewed by:**

Claudia Burgos, Director of Legislative Affairs & Community Relations