

**ASSEMBLY BILL**

**No. 1228**

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**Introduced by Assembly Member Solorio**

February 23, 2007

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An act to amend Sections 2704.04 and 2704.09 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1228, as introduced, Solorio. Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

Existing law provides for submission of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the voters for approval at the November 4, 2008, statewide general election. Subject to voter approval, the act would provide for the issuance of \$9.95 billion of general obligation bonds, \$9 billion of which would be available in conjunction with any available federal funds for planning and construction of a high-speed train system pursuant to the business plan of the High-Speed Rail Authority, and \$950 million of which would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. Existing law specifies that the initial segment of the high-speed train system to be constructed is San Francisco to Los Angeles, and also specifies certain maximum express service travel times to be achieved for this and future corridors.

This bill would instead provide that Anaheim is to be the southern terminus of the initial segment of the high-speed train system. For the Anaheim-Irvine segment, the bill would provide that no general

obligation bond funds shall be available for construction, but that those funds shall be available only for eligible planning, environmental, and engineering costs. The bill would make other related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 2704.04 of the Streets and Highways  
 2 Code, as added by Section 2 of Chapter 697 of the Statutes of  
 3 2002, is amended to read:

4 2704.04. (a) It is the intent of the Legislature by enacting this  
 5 chapter and of the people of California by approving the bond  
 6 measure pursuant to this chapter to initiate the construction of a  
 7 high-speed train network consistent with the authority's Final  
 8 Business Plan of June 2000.

9 (b) (1) Nine billion dollars (\$9,000,000,000) of the proceeds  
 10 of bonds authorized pursuant to this chapter, as well as federal  
 11 funds and other revenues made available to the authority, to the  
 12 extent consistent with federal and other fund source conditions,  
 13 shall be used for planning and eligible capital costs, as defined in  
 14 subdivision (c), for the segment of the high-speed train system  
 15 between San Francisco Transbay Terminal and ~~Los Angeles Union~~  
 16 ~~Station~~ *the Anaheim Regional Transportation Intermodal Center.*  
 17 Once construction of the ~~San Francisco-Los Angeles San~~  
 18 ~~Francisco-Anaheim~~ segment is fully funded, all remaining funds  
 19 described in this subdivision shall be used for planning and eligible  
 20 capital costs, as defined in subdivision (c), for the following  
 21 additional high-speed train segments without preference to order:

- 22 (A) Oakland-San Jose.
  - 23 (B) Sacramento-Merced.
  - 24 (C) Los Angeles-Inland Empire.
  - 25 (D) Inland Empire-San Diego.
  - 26 (E) ~~Los Angeles-Irvine-Anaheim-Irvine.~~
- 27 (2) *For the Anaheim-Irvine initial operating segment, no general*  
 28 *obligation bond funds shall be used for the actual construction of*  
 29 *the segment. Those bond funds shall only be used for eligible*  
 30 *planning, environmental, and engineering costs.*  
 31 (2)

1 (3) Revenues generated by operations above and beyond  
2 operating and maintenance costs shall be used to fund construction  
3 of the high-speed train system.

4 (c) Capital costs eligible to be paid from proceeds of bonds  
5 authorized for high-speed train purposes pursuant to this chapter  
6 include all activities necessary for acquisition of right-of-way,  
7 construction of tracks, structures, power systems, and stations,  
8 purchase of rolling stock and related equipment, and other related  
9 capital facilities and equipment.

10 (d) Proceeds of bonds authorized pursuant to this chapter shall  
11 not be used for any operating or maintenance costs of trains or  
12 facilities.

13 (e) The State Auditor shall perform periodic audits of the  
14 authority's use of proceeds of bonds authorized pursuant to this  
15 chapter for consistency with the requirements of this chapter.

16 SEC. 2. Section 2704.09 of the Streets and Highways Code,  
17 as added by Section 2 of Chapter 697 of the Statutes of 2002, is  
18 amended to read:

19 2704.09. The high-speed train system to be constructed  
20 pursuant to this chapter shall have the following characteristics:

21 (a) Electric trains that are capable of sustained maximum  
22 revenue operating speeds of no less than 200 miles per hour.

23 (b) Maximum express service travel times for each corridor that  
24 shall not exceed the following:

25 (1) ~~San Francisco-Los Angeles Union Station-San~~  
26 ~~Francisco-Anaheim~~: two hours, 42 minutes.

27 (2) Oakland-Los Angeles Union Station: two hours, 42 minutes.

28 (3) San Francisco-San Jose: 31 minutes.

29 (4) San Jose-Los Angeles: two hours, 14 minutes.

30 (5) San Diego-Los Angeles: one hour.

31 (6) Inland Empire-Los Angeles: 29 minutes.

32 (7) Sacramento-Los Angeles: two hours, 22 minutes.

33 (8) Sacramento-San Jose: one hour, 12 minutes.

34 *The travel time in this subdivision may be appropriately adjusted*  
35 *by the authority to reflect the amendments to this section extending*  
36 *the southern terminal of the initial corridor from Los Angeles to*  
37 *Anaheim.*

38 (c) Achievable operating headway (time between successive  
39 trains) shall be five minutes or less.

1 (d) The total number of stations to be served by high-speed  
2 trains for all of the segments described in subdivision (b) of Section  
3 2704.04 shall not exceed 24.

4 (e) Trains shall have the capability to transition intermediate  
5 stations, or to bypass those stations, at mainline operating speed.

6 (f) For each corridor described in subdivision (b), passengers  
7 shall have the capability of traveling from any station on that  
8 corridor to any other station on that corridor without being required  
9 to change trains.

10 (g) In order to reduce impacts on communities and the  
11 environment, the alignment for the high-speed train system shall  
12 follow existing transportation or utility corridors to the extent  
13 possible.

14 (h) Stations shall be located in areas with good access to local  
15 mass transit or other modes of transportation.

16 (i) The high-speed train system shall be planned and constructed  
17 in a manner that minimizes urban sprawl and impacts on the natural  
18 environment.

19 (j) Preserving wildlife corridors and mitigating impacts to  
20 wildlife movement where feasible in order to limit the extent to  
21 which the system may present an additional barrier to wildlife's  
22 natural movement.

23 SEC. 3. Section 1 of Chapter 697 of the Statutes of 2002, as  
24 amended by Section 1 of Chapter 71 of the Statutes of 2004, is  
25 amended to read:

26 Section 1. (a) In light of the events of September 11, 2001, it  
27 is very clear that a high-speed passenger train network as described  
28 in the High-Speed Rail Authority's Business Plan is essential for  
29 the transportation needs of the growing population and economic  
30 activity of this state.

31 (b) The initial high-speed train network linking San Francisco  
32 and the ~~bay area~~ *Bay Area* to ~~Los Angeles~~ *Anaheim* will serve as  
33 the backbone of what will become an extensive 700-mile system  
34 that will link all of the state's major population centers, including  
35 Sacramento, the ~~bay area~~ *Bay Area*, the Central Valley, Los  
36 Angeles, the Inland Empire, Orange County, and San Diego, and  
37 address the needs of the state.

38 (c) The high-speed passenger train bond funds are intended to  
39 encourage the federal government and the private sector to make

1 a significant contribution toward the construction of the high-speed  
2 train network.

3 (d) The initial segments shall be built in a manner that yields  
4 maximum benefit consistent with available revenues.

5 (e) After the initial investment from the state, operating revenues  
6 from the initial segments and funds from the federal government  
7 and the private sector will be used to pay for expansion of the  
8 system. It is the intent of the Legislature that the entire high-speed  
9 train system shall be constructed as quickly as possible in order  
10 to maximize ridership and the mobility of Californians.

11 (f) At a minimum, the entire 700-mile system described in the  
12 High-Speed Rail Authority's Business Plan should be constructed  
13 and in revenue service by 2020.

14 SEC. 4. Section 3 of Chapter 697 of the Statutes of 2002, as  
15 amended by Section 3 of Chapter 44 of the Statutes of 2006 is  
16 amended to read:

17 Sec. 3. Section 2 of Chapter 697 of the Statutes of 2002, as  
18 amended by Sections 2 and 3 of Chapter 71 of the Statutes of 2004,  
19 *as further amended by Sections 1 and 2 of Chapter 44 of the*  
20 *Statutes of 2006*, and as further amended by Sections 1 and 2 of  
21 the act amending this section in the ~~2005-06~~ 2007-08 Regular  
22 Session, shall take effect upon the adoption by the voters of the  
23 Safe, Reliable High-Speed Passenger Train Bond Act for the 21st  
24 Century, as set forth in Section 2 of Chapter 697 of the Statutes  
25 of 2002, as amended by Sections 2 and 3 of Chapter 71 of the  
26 Statutes of 2004, *as further amended by Sections 1 and 2 of*  
27 *Chapter 44 of the Statutes of 2006*, and as further amended by  
28 Sections 1 and 2 of the act amending this section in the ~~2005-06~~  
29 2007-08 Regular Session.

30 SEC. 5. Section 4 of Chapter 697 of the Statutes of 2002, as  
31 amended by Section 4 of Chapter 44 of the Statutes of 2006, is  
32 amended to read:

33 Sec. 4. (a) Section 2 of Chapter 697 of the Statutes of 2003,  
34 as amended by Sections 2 and 3 of Chapter 71 of the Statutes of  
35 2004, *as further amended by Sections 1 and 2 of Chapter 44 of the*  
36 *Statutes of 2006*, and as further amended by Sections 1 and 2 of  
37 the act amending this section in the ~~2005-06~~ 2007-08 Regular  
38 Session, shall be submitted to the voters at the November 4, 2008,  
39 general election in accordance with provisions of the Government

1 Code and the Elections Code governing the submission of statewide  
2 measures to the voters.

3 (b) Notwithstanding any other provision of law, all ballots of  
4 the November 4, 2008, general election shall have printed thereon  
5 and in a square thereof, exclusively, the words “Safe, Reliable  
6 High-Speed Passenger Train Bond Act for the 21st Century” and  
7 in the same square under those words, the following in 8-point  
8 type: “This act provides for the Safe, Reliable High-Speed  
9 Passenger Train Bond Act for the 21st Century. For the purpose  
10 of reducing traffic on the state’s highways and roadways, upgrading  
11 commuter transportation, improving people’s ability to get safely  
12 from city to city, alleviating congestion at airports, reducing air  
13 pollution, and providing for California’s growing population, shall  
14 the state build a high-speed train system and improve existing  
15 passenger rail lines serving the state’s major population centers  
16 by creating a rail trust fund that will issue bonds totaling \$9.95  
17 billion, paid from existing state funds at an average cost of \_\_\_\_  
18 dollars (\$\_\_\_\_) per year over the 30-year life of the bonds, with  
19 all expenditures subject to an independent audit?” The blank space  
20 in the question to appear on the ballot pursuant to this subdivision  
21 shall be filled in by the Attorney General with the appropriate  
22 figure provided by the Legislative Analyst relative to the annual  
23 average cost of the bonds. Opposite the square, there shall be left  
24 spaces in which the voters may place a cross in the manner required  
25 by law to indicate whether they vote for or against the measure.

26 (c) Notwithstanding Sections 13247 and 13281 of the Elections  
27 Code, the language in subdivision (b) shall be the only language  
28 included in the ballot label for the condensed statement of the  
29 ballot title, and the Attorney General shall not supplement, subtract  
30 from, or revise that language, except that the Attorney General  
31 may include the financial impact summary prepared pursuant to  
32 Section 9087 of the Elections Code and Section 88003 of the  
33 Government Code. The ballot label is the condensed statement of  
34 the ballot title and the financial impact summary.

35 (d) Where the voting in the election is done by means of voting  
36 machines used pursuant to law in the manner that carries out the  
37 intent of this section, the use of the voting machines and the

- 1 expression of the voters' choice by means thereof are in compliance
- 2 with this section.

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