

AMENDED IN ASSEMBLY AUGUST 25, 2008

AMENDED IN ASSEMBLY AUGUST 22, 2008

AMENDED IN SENATE APRIL 7, 2008

SENATE BILL

No. 1422

Introduced by Senator Ridley-Thomas
(Principal coauthor: Assembly Member Nunez)

February 21, 2008

An act to add Section 149.9 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1422, as amended, Ridley-Thomas. High-occupancy toll (HOT) lanes.

Existing law authorizes a regional transportation agency, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value-pricing program and exclusive or preferential lane facilities for public transit. Existing law requires the commission to review these applications and submit an eligible application to the Legislature for approval or rejection. Existing law requires approval to be achieved by enactment of a statute. Existing law prohibits approval of an application on or after January 1, 2012.

This bill would authorize a value-pricing and transit development demonstration program involving HOT lanes to be conducted, administered, developed, and operated on State Highway Route 110 and Interstate 10 in Los Angeles County by the Los Angeles County Metropolitan Transportation Authority (LACMTA). The bill would

require the LACMTA and the Department of Transportation to implement the program pursuant to a cooperative agreement that addresses specified matters in connection with the program and to establish appropriate traffic flow guidelines, as specified. The bill would authorize the LACMTA to establish, collect, and administer the toll and to use the revenues for administrative costs, as specified. The bill would require the LACMTA and the department to report to the Legislature by December 31, 2012, on the demonstration program. *The bill would make findings and declarations in this regard.*

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. The Legislature finds and declares all of the
2 following:

3 (a) For two decades, the Los Angeles region has led the nation
4 in traffic congestion and has been identified as the region with the
5 worst air quality and congestion in the United States.

6 (b) The region's population is expected to increase by another
7 2.4 million by 2030, while the number of registered vehicles in
8 the county has surpassed 7 million.

9 (c) The population growth and economic demands on the region
10 will only continue to deteriorate the air quality and transportation
11 infrastructure within Los Angeles County.

12 (d) The Los Angeles region must find innovative ways to use
13 its current transportation infrastructure in a manner consistent with
14 trying to reduce vehicle miles traveled, and must help the state
15 meet its greenhouse gas reduction goals and air quality
16 improvement goals while increasing its investment in public
17 transportation.

18 (e) The United States Department of Transportation has entered
19 into a memorandum of understanding with the Los Angeles County
20 Metropolitan Transportation Authority (LACMTA) and the
21 Department of Transportation to award \$210.6 million in federal
22 transit funding for the purpose of enabling LACMTA to carry out
23 a demonstration program where high-occupancy vehicle lanes on
24 selected freeways in Los Angeles County would be converted into
25 high-occupancy toll lanes during the demonstration period.

1 (f) Value-pricing is an important tool that will allow the Los
2 Angeles region to use its current highway system more efficiently
3 by allowing solo commuters to use designated high-occupancy
4 vehicle lanes on State Highway Route 110 and Interstate 10 where
5 capacity exists to absorb added commuters.

6 (g) *Nothing in this act shall be construed to require the*
7 *Department of Transportation to take any action that is inconsistent*
8 *with any applicable federal law.*

9 (h) *It is the intent of the Legislature that the Department of*
10 *Transportation, in implementing this act and to the extent not*
11 *inconsistent with any other law, shall consider measures to*
12 *maximize vehicular travel on Interstate Highway 10 in the vicinity*
13 *of the El Monte Expressway. These measures may include, but are*
14 *not limited to, restriping the highway to add an additional lane in*
15 *both directions of the highway.*

16 (i) *It is the intent of the Legislature that the LACMTA, to the*
17 *extent consistent with the purposes of this act, shall use a portion*
18 *of the tolls collected on Interstate Highway 10 pursuant to this act*
19 *to fund a bus maintenance facility in El Monte.*

20 SEC. 2. Section 149.9 is added to the Streets and Highways
21 Code, to read:

22 149.9. (a) Pursuant to Section 149.7 and the memorandum of
23 understanding between the Los Angeles County Metropolitan
24 Transportation Authority (LACMTA), the United States
25 Department of Transportation, and the department, as adopted on
26 July 24, 2008, and any subsequent, mutually agreed upon changes
27 to that memorandum, the LACMTA may operate a value-pricing
28 and transit development demonstration program involving
29 high-occupancy toll (HOT) lanes to be conducted, administered,
30 developed, and operated on State Highway Route 110 and Interstate
31 Highway 10 in Los Angeles County by the LACMTA.

32 (b) The LACMTA may implement the program in cooperation
33 with the department pursuant to a cooperative agreement that
34 addresses all matters related to design, construction, maintenance,
35 and operation of state highway system facilities in connection with
36 the value-pricing and transit program. With the assistance of the
37 department, the LACMTA may establish appropriate traffic flow
38 guidelines for the purpose of ensuring optimal use of the express
39 lanes by high-occupancy vehicles without adversely affecting other
40 traffic on the state highway system.

1 (c) The LACMTA and the department may implement the
2 demonstration program under the following conditions:

3 (1) The value-pricing program may be operated on State
4 Highway Route 110 and Interstate 10 in Los Angeles County on
5 designated high-occupancy vehicle (*HOV*) lanes.

6 ~~(2) Single-occupant vehicles may be authorized to enter and
7 use the high-occupancy vehicle lanes in the identified corridors,
8 under conditions as determined by the LACMTA.~~

9 (2) (A) *Single-occupant vehicles, or those vehicles that do not
10 meet minimum occupancy requirements, may be authorized to
11 enter and use the HOV lanes in the identified corridors, under
12 conditions as determined by the LACMTA.*

13 (B) *The LACMTA may not change the vehicle occupancy
14 requirement for access to the HOV lanes in the identified corridors
15 during the demonstration period that is authorized under this
16 section.*

17 (3) As part of the demonstration program, each proposed HOT
18 lane shall have nontolled alternative lanes available for public use
19 in the same corridor as the proposed HOT lanes.

20 (4) The LACMTA shall implement a public outreach and
21 communications plan in order to solicit public input into the
22 development of the demonstration program.

23 (5) In implementing the program, the LACMTA shall identify
24 the affected communities in the respective corridors and work with
25 those communities to identify impacts and develop mitigation
26 measures.

27 (6) The amount of the toll shall be established by the LACMTA,
28 and collected and administered in a manner determined by the
29 LACMTA. The LACMTA shall conduct a public hearing 30 days
30 prior to setting or increasing the toll.

31 (7) The LACMTA shall assess the impacts of the program on
32 commuters of low income and shall provide mitigation to those
33 impacted commuters. Mitigation measures may include, but are
34 not limited to, reduced toll charges and toll credits for transit users.
35 Eligible commuters for reduced toll charges or toll credits for
36 transit users shall meet the eligibility requirements for assistance
37 programs under Chapter 2 (commencing with Section 11200) or
38 Chapter 3 (commencing with Section 12000) of Part 3 of, Part 5
39 (commencing with Section 17000) of, or Chapter 10 (commencing
40 with Section 18900), Chapter 10.1 (commencing with Section

1 18930), or Chapter 10.3 (commencing with Section 18937) of Part
2 6 of, Division 9 of the Welfare and Institutions Code.

3 (8) Toll paying commuters shall have the option to purchase
4 any necessary toll paying equipment, prepay tolls, and renew toll
5 payments by cash or by using a credit card.

6 (9) The LACMTA may operate the demonstration program until
7 January 15, 2013, during which time it may not issue bonds for
8 the demonstration program.

9 (10) The LACMTA and the department shall report to the
10 Legislature by December 31, 2012. The report shall include, but
11 not be limited to, a summary of the demonstration program, a
12 survey of its users, the impact on carpoolers, revenues generated,
13 how transit service or alternative modes of transportation were
14 impacted, *any potential effect on traffic congestion in the HOV*
15 *lane and in the neighboring lanes, the number of toll paying*
16 *vehicles that utilized the HOT lanes, any potential reductions in*
17 *the greenhouse gas emissions that are attributable to congestion*
18 *reduction resulting from the HOT lane demonstration project, and*
19 a description of the mitigation measures on the affected
20 communities and commuters in this demonstration program.

21 (11) Pursuant to Section 149.7, the revenue generated from the
22 program may be available to the LACMTA for the direct expenses
23 related to the maintenance, administration, and operation, including
24 collection and enforcement, of the demonstration program.
25 Administrative expenses shall not exceed 3 percent of the revenues.

26 (12) All remaining revenue generated by the demonstration
27 program shall be used in the corridor from which the revenue was
28 generated exclusively for preconstruction, construction, and other
29 related costs of high-occupancy vehicle facilities and the
30 improvement of transit service in the corridor, including, but not
31 limited to, support for transit operations pursuant to an expenditure
32 plan adopted by the LACMTA.