

Assembly Bill No. 650

Passed the Assembly September 6, 2011

Chief Clerk of the Assembly

Passed the Senate August 31, 2011

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2011, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Article 10 (commencing with Section 99440) of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code, relating to transportation, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 650, Blumenfeld. Blue Ribbon Task Force on Public Transportation for the 21st Century.

Existing law establishes various boards and commissions within state government. Existing law establishes various transit districts and other local entities for development of public transit on a regional basis and makes various state revenues available to those entities for those purposes. Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of statewide concern. The Public Transportation Account is designated as a trust fund and funds in the account shall be available only for specified transportation planning and mass transportation purposes.

This bill would establish, until March 30, 2013, the Blue Ribbon Task Force on Public Transportation for the 21st Century. The bill would require the task force to be comprised of 12 members and would require the Senate Committee on Rules and the Speaker of the Assembly to each appoint 6 specified members, by January 31, 2012. The bill would require the task force to elect one of its nonlegislative members as chair. The bill would require the task force to issue a written report that contains specified findings and recommendations relating to, among other things, the current state of California's transit system, the estimated cost of creating the needed system over various terms, and potential sources of funding to sustain the transit system's needs, and to submit the report by September 30, 2012, to the Governor, the Legislature, the Joint Legislative Budget Committee, the Senate Committee on Rules, the Speaker of the Assembly, and the transportation committees of the Legislature. The bill would require the task force, for purposes of collecting information for the written report, to consult with appropriate state agencies and departments and would require

the task force to contract with consultants for preparation of the report. The bill would require the Department of Transportation to provide administrative staffing to the task force. The bill would appropriate \$750,000 from the Public Transportation Account to the department, as specified, to accomplish the purposes of these provisions.

Appropriation: yes.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) A comprehensive, well-coordinated and fully functioning public transit system is critical to the well being of the California populace because it can do the following:

(1) Grow the California economy by keeping money in the state, creating good-paying stable jobs, and increasing the value of surrounding real estate.

(2) Bolster the state's security by decreasing dependence on imported oil.

(3) Contribute to the effort to meet California's greenhouse gas reduction and air quality goals.

(4) Save travelers time by mitigating traffic congestion as the state's population grows.

(5) Promote equitable access to affordable, reliable, and safe transportation for all Californians.

(b) Building and maintaining an effective public transportation network requires a strategic commitment and vision that makes transit in all forms an integral part of California's overall 21st century transportation system.

(c) Every \$1 billion invested in transportation infrastructure creates 47,500 jobs.

(d) Every one dollar invested in public transportation generates approximately six dollars in local economic activity.

(e) Real estate, including residential, commercial, and business, that is served by public transit is valued more highly by the public than similar properties not as well-served by transit. In San Diego, residential properties for sale near commuter rail stops were valued 17 percent higher than properties for sale not near commuter rail stops.

(f) California oil production has steadily decreased since its peak in the 1980s, leading to an increased need for imported oil. In 2006, California imported 55 percent, 328 of 593 million barrels, of the oil it used. At \$90 per barrel that is \$29.5 billion dollars annually leaving the state. Public transit in California currently reduces the need to import oil by creating savings of 486 million gallons of oil annually.

(g) Volatile organic compounds (VOCs) and nitrogen oxide (NO_x) in high concentrations create dangerous air quality conditions, which cause at least 6,500 premature deaths, 9,000 hospitalizations, and 1,700,000 cases of respiratory illness annually in California. Public transportation reduces carbon monoxide (CO) by 95 percent, VOCs by 90 percent, and NO_x by 50 percent, per passenger mile, compared to driving a private vehicle.

(h) To meet requirements set out by the Global Warming Solutions Act of 2006 and Executive Order S-3-05, California will have to reduce its per capita emissions from 13 metric tons to 9.5 metric tons by 2020 and 2 metric tons by 2050. By taking existing public transportation instead of driving a car, a single person can save 2.1 metric tons, or 4,800 pounds, of carbon dioxide (CO₂) per year.

(i) In the next 10 years, the California population is expected to grow by over four million people, mostly in urban centers. This will lead to more time wastefully spent in traffic congestion. In 2005, transit prevented 540.8 million hours of traffic delay around the country, according to the Texas Transportation Institute. The monetary value of those savings was \$10.2 billion.

(j) Nationally, personal vehicles have much higher fatality rates scaled to miles traveled than public transit. From 2003 to 2008, inclusive, there were no reported light rail transit fatalities. During the same period, there were 28 times more fatalities associated with personal vehicles than with transit bus travel.

(k) By 2025, an estimated one in five Californians will be over 65 years of age. Public transportation is already playing an important role for this demographic, 20 percent of which does not drive.

(l) Californians recognize the benefits of public transportation and are responding with increased demand for it. San Diego Metropolitan Transit System experienced ridership increases on its line ranging from 5 to 11 percent in 2008. Sacramento's light

rail system saw a 43.3 percent increase in 2008. Altamont Commuter Express and Capitol Corridor intercity trains, connecting the San Francisco Bay area with the Central Valley, saw ridership increases of 13.6 percent in the first quarter of 2008. Bus ridership in Los Angeles grew by 8 percent in 2008.

(m) State funding for public transportation operations has dwindled as the state struggles to meet general fund obligations.

(n) Public transit systems facing decreased funding generally must raise fares, cut service, or do both. In 2009, San Francisco raised fares by 6 percent followed by a 10-percent decrease in service frequency in 2010. In 2010, Los Angeles implemented the second 20-percent fare increase in three years and plans to eliminate 388,000 hours of bus service. In San Diego, fares rose by 28.5 percent between 2008 and 2009. Sacramento announced in early 2010 that it would cut bus and rail service by 22 percent.

SEC. 2. Article 10 (commencing with Section 99440) is added to Chapter 4 of Part 11 of Division 10 of the Public Utilities Code, to read:

Article 10. Blue Ribbon Task Force on Public Transportation
for the 21st Century

99440. (a) (1) There shall be established in state government the Blue Ribbon Task Force on Public Transportation for the 21st Century.

(2) References in this article to the task force shall mean the Blue Ribbon Task Force on Public Transportation for the 21st Century.

(b) (1) The task force shall be comprised of 12 members, including a chair, all of whom shall have a demonstrated interest in public transportation and meet the criteria described in paragraph (3).

(2) Six members shall be appointed by the Senate Committee on Rules and six members shall be appointed by the Speaker of the Assembly as described in paragraphs (3) and (4), respectively. These appointments shall be made no later than January 31, 2012.

(3) The Senate Committee on Rules shall appoint the following members:

- (A) A business representative.
- (B) A public transit representative.

- (C) An environmental representative.
- (D) A regional transportation planning agency representative.
- (E) A representative of a transit advocacy group.
- (F) A Member of the Senate.

(4) The Speaker of the Assembly shall appoint the following members:

- (A) An organized labor representative.
- (B) A public health or air quality expert.
- (C) A private transit provider representative.
- (D) An education or academic representative with experience in public transportation.

- (E) A finance expert.
- (F) A Member of the Assembly.

(5) The task force shall elect one of its members as chair from among the 10 nonlegislative task force members.

(c) Seven members of the task force shall constitute a quorum.

(d) The task force members shall serve without salary. However, members of the task force shall receive necessary travel expenses, including transportation, lodging, and meals. These necessary expenses shall be paid from funds to be appropriated to the task force pursuant to Section 99447.

(e) The task force shall be an advisory body only, and there shall be no right or obligation on the part of the state to implement the findings and recommendations of the task force without further legislation that specifically authorizes that the findings and recommendations of the task force be implemented.

99440.5. Within 45 days of the last appointment made pursuant to Section 99440, the task force shall develop a clear scope of work for accomplishing the purposes of this article. The scope of work shall include a general statement of purpose, enumerate research objectives, list specific tasks needed to accomplish those objectives, generate a timeline for achieving those tasks, identify the consultants needed, and develop a budget for the funds appropriated pursuant to Section 99447.

99441. (a) The task force shall meet at least twice a month. The task force may meet more often if needed. Meetings may be conducted via conference call so long as there are adequate telephone lines available for public participation.

(b) Proxies shall not be allowed to stand in for task force members at meetings.

99442. (a) The task force shall conduct at least nine public listening sessions to gather information from members of the public and organizations around the state on public transportation issues and needs. At least one listening session each shall be conducted in the County of San Diego, the County of Los Angeles, the Inland Empire, the City of Fresno, the City of Sacramento, the San Francisco Bay area, the City of Eureka, the City of Redding, and the City of Bakersfield.

(b) To the extent possible, the listening sessions shall be conducted after 5 p.m. and in venues accessible by public transit. At least one public listening session shall address rural public transit needs.

(c) A quorum, including the chair, shall attend each public listening session.

(d) To the extent possible, the task force shall communicate with the public and stakeholders via the media, including electronic and social media, about the public listening sessions. To the extent possible, the public listening sessions shall be Web cast with options for testimony to be presented electronically.

99443. The task force, in carrying out its duties pursuant to this article, shall consider public transportation systems, as defined by Section 99211, and in addition, transportation systems specifically designed to get workers to job sites such as vanpool services and employer-supported shared transit.

99444. (a) The task force shall issue a written report containing findings and recommendations that address all of the following:

(1) The current state of California's transit system, including major intermodal hubs, bus systems, bus rapid transit, light rail and streetcar, intercity bus and rail, jitney services, paratransit services, vanpools, variable route or shuttle services, and connectivity between modes in the system.

(2) The level and types of transit needed to meet the following goals: equity of accessibility and ease of use; strong and sustainable local and statewide economies; and environmental and public health, including reduced greenhouse gas and pollutant emissions.

(3) The estimated cost of creating the needed system in the near term (within five years), midterm (within 15 years), and long term (within 25 years).

(4) Potential sources of funding to sustain the system's needs.

(5) Requirements and methods for attaining that funding.

(6) Recommendations for action based on findings for paragraphs (1) to (5), inclusive.

(b) On or before September 30, 2012, the task force shall submit the written report described in subdivision (a) to the Governor, the Legislature, the Joint Legislative Budget Committee, the Senate Committee on Rules, the Speaker of the Assembly, the Senate Committee on Transportation and Housing, and the Assembly Committee on Transportation.

(c) A report to the Legislature pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

99445. (a) The task force, for purposes of collecting information for the written report described in subdivision (a) of Section 99444, shall consult with appropriate state agencies and departments, including the department; the California Transportation Commission; the Department of Housing and Community Development; the Business, Transportation and Housing Agency; the State Air Resources Board; the State Energy Resources Conservation and Development Commission; and the State Department of Health Care Services.

(b) The task force shall contract with consultants, such as the faculty and staff of the Institute of Transportation Studies of the University of California, for expert research, analysis, advice, and to draft preliminary written reports and the written report. The task force shall contract with those consultants for any additional purposes that it deems necessary, including, but not limited to: conducting public opinion surveys; preparing analyses of transit system operations in California and elsewhere; conducting public outreach; preparing Web-based, video, and print production of task force findings; and drafting papers relating to, among other things, expert research and analysis.

(c) The department shall provide all administrative staffing to the task force and administer the funds appropriated pursuant to Section 99447.

99446. (a) Meetings of the task force and the public listening sessions described in Sections 99441 and 99442 shall be subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(b) The written report shall be disclosed to the public pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

99447. There is hereby appropriated the sum of seven hundred fifty thousand dollars (\$750,000) from the Public Transportation Account to the department consistent with subdivision (c) of Section 99315 to accomplish the purposes of this article.

99448. This article shall become inoperative on March 30, 2013, and, as of January 1, 2014, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2014, deletes or extends the dates on which it becomes inoperative and is repealed.

Approved _____, 2011

Governor