

AMENDED IN ASSEMBLY MAY 6, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 14**

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**Introduced by Assembly Member Lowenthal**

December 3, 2012

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An act to add Section 13978.8 to the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 14, as amended, Lowenthal. State freight plan.

Existing law creates the ~~Business, Transportation and Housing~~ Agency in state government, consisting of various departments, including the Department of Transportation, which, among other things, is responsible for the state highway system. Existing law also requires the department to prepare a state rail plan, which contains a freight element. Existing law provides for the state and regional agencies to engage in various transportation planning activities, including goods movement planning activities. Existing federal law provides certain incentives to the states for developing a state freight plan consistent with federal guidelines.

This bill would require the ~~Business, Transportation and Housing~~ Agency to prepare a state freight plan with specified elements to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. ~~This~~ *The* bill would require the agency to establish a freight advisory committee with various responsibilities in that regard. The initial state freight plan would be submitted to the Legislature, the Governor, and certain state agencies by December 31, 2014, and updated every 5 years thereafter.

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 13978.8 is added to the Government  
2 Code, to read:

3 13978.8. (a) ~~The Business, Transportation and Housing~~  
4 Agency shall prepare a state freight plan. The state freight plan  
5 shall comply with the relevant provisions of the federal Moving  
6 Ahead for Progress in the 21st Century Act (MAP-21), Public Law  
7 112-141. The agency shall develop a state freight plan that provides  
8 a comprehensive plan to govern the immediate and long-range  
9 planning activities and capital investments of the state with respect  
10 to the movement of freight.

11 (b) (1) The agency shall establish a freight advisory committee  
12 consisting of a representative cross section of public and private  
13 sector freight stakeholders, including representatives of ports,  
14 shippers, carriers, freight-related associations, the freight industry  
15 workforce, the California Transportation Commission, the  
16 Department of Transportation, the Public Utilities Commission,  
17 the State Lands Commission, the State Air Resources Board,  
18 regional and local governments, and environmental, safety, and  
19 community organizations.

20 (2) The freight advisory committee shall do all of the following:

21 (A) Advise the agency on freight-related priorities, issues,  
22 projects, and funding needs.

23 (B) Serve as a forum for discussion for state transportation  
24 decisions affecting freight mobility.

25 (C) Communicate and coordinate regional priorities with other  
26 organizations.

27 (D) Promote the sharing of information between the private and  
28 public sectors on freight issues.

29 (E) Participate in the development of the state freight plan.

30 (c) The state freight plan shall include, at a minimum, all of the  
31 following:

32 (1) An identification of significant freight system trends, needs,  
33 and issues.

34 (2) A description of the freight policies, strategies, and  
35 performance measures that will guide freight-related transportation  
36 investment decisions.

1 (3) A description of how the state freight plan will improve the  
2 ability of California to meet the national freight goals established  
3 under Section 167 of Title 23 of the United States Code.

4 (4) Evidence of consideration of innovative technologies and  
5 operational strategies, including intelligent transportation systems,  
6 that improve the safety and efficiency of freight movement.

7 (5) In the case of routes on which travel by heavy vehicles,  
8 including mining, agricultural, energy cargo or equipment, and  
9 timber vehicles, is projected to substantially deteriorate the  
10 condition of roadways, a description of improvements that may  
11 be required to reduce or impede the deterioration.

12 (6) An inventory of facilities with freight mobility issues, such  
13 as truck bottlenecks within California, and a description of the  
14 strategies California is employing to address those freight mobility  
15 issues.

16 (d) Notwithstanding Section 10231.5, the state freight plan shall  
17 be submitted to the Legislature, the Governor, the California  
18 Transportation Commission, the Public Utilities Commission, and  
19 the State Air Resources Board on or before December 31, 2014,  
20 and every five years thereafter. The state freight plan shall be  
21 submitted pursuant to Section 9795.

22 (e) The state freight plan required by this section may be  
23 developed separately from, or incorporated into, the statewide  
24 strategic long-range transportation plan required by Section 135  
25 of Title 23 of the United States Code.

26 (f) The freight element of the state freight plan may be  
27 developed separately from, or incorporated into, the state rail plan  
28 prepared by the Department of Transportation pursuant to Section  
29 14036.

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