

ASSEMBLY BILL

No. 528

Introduced by Assembly Member Lowenthal

February 20, 2013

An act to amend Section 14036 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 528, as introduced, Lowenthal. State Rail Plan.

Existing law requires the Department of Transportation to prepare a 10-year State Rail Plan biennially for submission to the Legislature, Governor, and specified entities. The plan consists of 2 elements, a passenger rail element and a freight rail element, and sets forth various items that are required to be included in each element.

This bill would make a nonsubstantive change to these provisions.

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

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

1 SECTION 1. Section 14036 of the Government Code is
2 amended to read:
3 14036. (a) The department shall prepare a 10-year State Rail
4 Plan biennially for submission to the Legislature, the Governor,
5 the Public Utilities Commission, and the California Transportation
6 Commission. The plan shall be submitted to the California
7 Transportation Commission on or before October 1, 1995, and on
8 or before October 1 of each odd-numbered year thereafter, for its
9 advice and consent, and to the Legislature, the Governor, and the

1 Public Utilities Commission by the following March 1. The plan
 2 shall consist of a passenger rail element and a freight rail element.
 3 (b) The passenger rail element shall contain all of the following:
 4 (1) For capital and operating subsidies and costs, all actual
 5 encumbrances for the prior two fiscal years; and for state
 6 operations, all actual expenditures for the prior two fiscal years.
 7 All revenues shall be identified by source.
 8 (2) For capital and operating subsidies, estimated encumbrances
 9 and revenues for the current year; and for state operations,
 10 estimated expenditures for the current year. The department shall
 11 use the same format as is required for prior year expenditures
 12 pursuant to paragraph (1).
 13 (3) For the budget year and the nine following fiscal years,
 14 proposed encumbrances for capital and operating subsidies and
 15 costs ~~shall be~~, reported in the same format as is required for the
 16 prior year's expenditures. For state operations, proposed
 17 expenditures for the budget year shall be reported.
 18 (4) The identification and cost of capital facilities necessary to
 19 enhance competitiveness of rail passenger services, including, for
 20 each intercity route, a list of at least the three highest priority
 21 capital improvement projects, with cost estimates and a funding
 22 plan.
 23 (5) A performance evaluation of all services in operation for
 24 the two prior years, including performance trends, potential for
 25 efficiency and effectiveness, possible improvements, and strategies
 26 to achieve that potential. This shall include an evaluation of all
 27 feeder bus services, using, among other things, criteria based on
 28 ridership levels, break-even points, and levels of growth in service
 29 utilization. The number of daily feeder bus runs, if any, that failed
 30 to carry even one passenger shall be identified.
 31 (6) A recommendation of a level of and program for services
 32 over a 10-year period, including a list of service enhancements on
 33 existing and additional routes, with funding and priority
 34 recommendations. This shall include identification of feeder bus
 35 service improvements and a management and operating plan for
 36 achieving these improvements.
 37 (7) An evaluation of reports by regional planning agencies and
 38 county transportation commissions on commuter service
 39 alternatives in their regions, including presentation of their
 40 recommendations.

1 (8) A map showing all existing intercity and commuter
2 passenger rail routes and services, all proposed intercity and
3 commuter passenger rail routes and services, and all intercity and
4 commuter passenger rail routes and services that are the subject
5 of feasibility studies.

6 (9) A report on the expenditure of marketing activities funds
7 for purchases of media advertising of rail passenger services.

8 This report shall be prepared in consultation with the Public
9 Utilities Commission and the National Rail Passenger Corporation.

10 The department may consult with other agencies, organizations,
11 and persons with expertise. The department shall employ realistic
12 assumptions, using Public Utilities Commission cost data whenever
13 possible, with respect to the level of services it can provide and
14 the cost of these services when developing the program.

15 (10) A discussion of the department's overall marketing strategy
16 as it relates to the intercity rail passenger service, including feeder
17 bus service, and a report on the expenditure of marketing activities
18 funds for purchases of media advertising of rail passenger services.

19 (11) A discussion of fare policies and practices, including all
20 of the following:

21 (A) The relationship of fare policies to ridership and yield,
22 including the impact of (A) a variety of regular fares, including
23 fares such as midweek and other off-peak discounts, (B) discount
24 fare blackouts during certain holiday travel periods on yield and
25 ridership, and (C) discount fares for small groups traveling
26 together.

27 (B) Lightly traveled route segments where current fares are too
28 high for the demand, and where ridership or yield, or both, would
29 increase with lower fares.

30 (C) A potential fare policy that would maximize both ridership
31 and yield.

32 (D) A summary of discussions with Amtrak on the subject of
33 fares.

34 (c) The freight rail element shall contain all of the following:

35 (1) Environmental aspects, which shall include air quality, land
36 use, and community impacts.

37 (2) Financing issues, which shall include a means to obtain
38 federal and state funding.

39 (3) Rail issues, which shall include regional, intrastate, and
40 interstate issues.

- 1 (4) Intermodal connections, which shall include seaports and
- 2 intermodal terminals.
- 3 (5) Current system deficiencies.
- 4 (6) Service objectives, such as improving efficiency,
- 5 accessibility, and safety.
- 6 (7) New technology, which shall include logistics and process
- 7 improvement.
- 8 (8) Light density rail line analyses, which shall include traffic
- 9 density, track characteristics, project selection criteria, and
- 10 benefit-cost criteria.