

**Introduced by Senator De León**

February 20, 2013

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An act to amend Section 163 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 408, as introduced, De León. Transportation funds.

Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects.

This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.

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 163 of the Streets and Highways Code
- 2 is amended to read:
- 3 163. The Legislature, through the enactment of this section,
- 4 intends to establish a policy for the use of all transportation funds

1 that are available to the state, including the State Highway Account,  
2 the Public Transportation Account, and federal funds. For the  
3 purposes of this section, “federal funds” means any obligational  
4 authority to be provided under annual federal transportation  
5 appropriations acts. The department and the commission shall  
6 prepare fund estimates pursuant to Sections 14524 and 14525 of  
7 the Government Code based on the following:

8 (a) Annual expenditures for the administration of the department  
9 shall be the same as the most recent Budget Act, adjusted for  
10 inflation.

11 (b) Annual expenditures for the maintenance and operation of  
12 the state highway system shall be the same as the most recent  
13 Budget Act, adjusted for inflation and inventory, or, when a  
14 maintenance plan has been enacted pursuant to Section 164.6,  
15 maintenance expenditures shall be based on planned expenditures  
16 in that plan.

17 (c) Annual expenditure for the rehabilitation of the state highway  
18 system shall be the same as the most recent Budget Act, or, when  
19 a long-range rehabilitation plan has been enacted pursuant to  
20 Section 164.6, shall be based on planned expenditures in that  
21 long-range plan.

22 (d) Annual expenditures for local assistance shall be the amount  
23 required to fund local assistance programs required by state or  
24 federal law or regulations, including, but not limited to, railroad  
25 grade crossing maintenance, bicycle transportation account  
26 *projects*, congestion mitigation and air quality, regional surface  
27 transportation programs, local highway bridge replacement and  
28 rehabilitation, local seismic retrofit, local hazard elimination and  
29 safety, and local emergency relief.

30 (e) After deducting expenditures for administration, operation,  
31 maintenance, local assistance, safety, and rehabilitation pursuant  
32 to subdivisions (a), (b), (c), and (d), and for expenditures pursuant  
33 to Section 164.56, the remaining funds shall be available for *the*  
34 *study of, and development and implementation of,* capital  
35 improvement projects to be programmed in the state transportation  
36 improvement program.