

**ASSEMBLY BILL**

**No. 24**

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**Introduced by Assembly Members Levine and Ting**

September 11, 2015

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An act to amend Section 66500 of, to amend and repeal Section 66503 of, to amend, repeal, and add Sections 66502 and 66504 of, to add Sections 66503.1 and 66537 to, and to amend the heading of Title 7.1 (commencing with Section 66500) of, the Government Code, and to amend, repeal, and add Section 30950 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 24, as introduced, Levine. Bay Area Transportation Commission: election of commissioners.

Existing law designates the Metropolitan Transportation Commission as the regional transportation planning agency for the San Francisco Bay area, with various powers and duties with respect to transportation planning and programming, as specified, in the 9-county San Francisco Bay area region. Existing law creates the Bay Area Toll Authority, governed by the same board as the commission, but created as a separate entity, with specified powers and duties relative to the administration of certain toll revenues from state-owned toll bridges within the geographic jurisdiction of the commission. Under existing law, the commission is comprised of 21 appointed members, as specified.

This bill, effective January 1, 2017, would redesignate the Metropolitan Transportation Commission as the Bay Area Transportation Commission. The bill would require commissioners to be elected by districts comprised of approximately 750,000 residents. The bill would require each district to elect one commissioner, except

that a district with a toll bridge, as defined, within the boundaries of the district would elect 2 commissioners. The bill would require commissioner elections to occur in 2016, with new commissioners to take office on January 1, 2017. The bill would state the intent of the Legislature for district boundaries to be drawn by a citizens' redistricting commission and campaigns for commissioners to be publicly financed.

This bill, effective January 1, 2017, would delete the Bay Area Toll Authority's status as a separate entity from the Metropolitan Transportation Commission and merge the authority into the Bay Area Transportation Commission.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. The heading of Title 7.1 (commencing with  
2 Section 66500) of the Government Code is amended to read:

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4 TITLE 7.1. METROPOLITAN BAY AREA  
5 TRANSPORTATION COMMISSION  
6

7 SEC. 2. Section 66500 of the Government Code is amended  
8 to read:

9 66500. This title shall be known as the ~~Metropolitan Bay Area~~  
10 Transportation Commission Act.

11 SEC. 3. Section 66502 of the Government Code is amended  
12 to read:

13 66502. There is hereby created, as a local area planning agency  
14 and not as a part of the executive branch of the state government,  
15 the Metropolitan Transportation Commission to provide  
16 comprehensive regional transportation planning for the region  
17 comprised of the City and County of San Francisco and the

1 Counties of Alameda, Contra Costa, Marin, Napa, San Mateo,  
2 Santa Clara, Solano, and Sonoma.

3 As used in this title, “region” means the region described in this  
4 section.

5 *This section shall remain in effect only until January 1, 2017,*  
6 *and as of that date is repealed, unless a later enacted statute, that*  
7 *is enacted before January 1, 2017, deletes or extends that date.*

8 SEC. 4. Section 66502 is added to the Government Code, to  
9 read:

10 66502. There is hereby created, as a local area planning agency  
11 and not as a part of the executive branch of the state government,  
12 the Bay Area Transportation Commission to provide  
13 comprehensive regional transportation planning for the region  
14 comprised of the City and County of San Francisco and the  
15 Counties of Alameda, Contra Costa, Marin, Napa, San Mateo,  
16 Santa Clara, Solano, and Sonoma.

17 As used in this title, “region” means the region described in this  
18 section.

19 This section shall become operative on January 1, 2017.

20 SEC. 5. Section 66503 of the Government Code is amended  
21 to read:

22 66503. The commission shall consist of 21 members as follows:

23 (a) Two members each from the City and County of San  
24 Francisco and the Counties of Contra Costa and San Mateo, and  
25 three members each from the Counties of Alameda and Santa  
26 Clara. With respect to the members from the City and County of  
27 San Francisco, the mayor shall appoint one member and the board  
28 of supervisors shall appoint one member. With respect to the  
29 members from Alameda, Contra Costa, San Mateo, and Santa  
30 Clara Counties, the city selection committee organized in each  
31 county pursuant to Article 11 (commencing with Section 50270)  
32 of Chapter 1 of Part 1 of Division 1 of Title 5, shall appoint one  
33 member and the board of supervisors shall appoint one member.  
34 The Mayor of the City of Oakland shall be self-appointed or shall  
35 appoint a member of the Oakland City Council to serve as the third  
36 member from the County of Alameda. The Mayor of the City of  
37 San Jose shall be self-appointed or shall appoint a member of the  
38 San Jose City Council to serve as the third member from the  
39 County of Santa Clara.

1 (b) One member each from Marin, Napa, Solano, and Sonoma  
 2 Counties. The city selection committee of these counties shall  
 3 furnish to the board of supervisors the names of three nominees  
 4 and the board of supervisors shall appoint one of the nominees to  
 5 represent the county.

6 (c) One representative each appointed by the Association of  
 7 Bay Area Governments and the San Francisco Bay Conservation  
 8 and Development Commission. The representative appointed by  
 9 the San Francisco Bay Conservation and Development Commission  
 10 shall be a member of the commission and a resident of the City  
 11 and County of San Francisco, and shall be approved by the Mayor  
 12 of San Francisco.

13 (d) One representative, who shall be a nonvoting member,  
 14 appointed by the Secretary of Transportation.

15 (e) One representative each appointed by the United States  
 16 Department of Transportation and Department of Housing and  
 17 Urban Development. However, these representatives shall serve  
 18 only if the agencies they represent are amenable to these  
 19 appointments. These representatives shall be nonvoting members.

20 (f) Public officers, whether elected or appointed, may be  
 21 appointed and serve as members of the commission during their  
 22 terms of public office.

23 (g) No more than three members appointed pursuant to  
 24 subdivisions (a), (b), and (c) shall be residents of the same county.

25 *This section shall remain in effect only until January 1, 2017,*  
 26 *and as of that date is repealed, unless a later enacted statute, that*  
 27 *is enacted before January 1, 2017, deletes or extends that date.*

28 SEC. 6. Section 66503.1 is added to the Government Code, to  
 29 read:

30 66503.1. (a) On and after January 1, 2017, the commission  
 31 shall consist of members elected by district within the geographic  
 32 jurisdiction of the commission. Each district shall have  
 33 approximately 750,000 residents, based on the 2010 Census. It is  
 34 the intent of the Legislature that the district boundaries be drawn  
 35 by a citizen’s redistricting commission.

36 (b) Each district shall elect one commissioner. However, each  
 37 district that includes within the boundaries of the district any toll  
 38 bridge, or portion thereof, shall elect two commissioners. As used  
 39 within this subdivision, “toll bridge” means the seven state-owned

1 toll bridges within the geographic jurisdiction of the commission  
2 and the Golden Gate Bridge.

3 (c) The initial elections for commissioners shall occur in 2016,  
4 with elected commissioners to take office on January 1, 2017.

5 (d) It is the intent of the Legislature that campaigns for  
6 commissioner should be publicly financed.

7 SEC. 7. Section 66504 of the Government Code is amended  
8 to read:

9 66504. Each commissioner’s term of office is four years;  
10 provided, however, that the commissioners appointed by the Mayor  
11 of the City of Oakland and the Mayor of the City of San Jose shall  
12 have an initial term of office ending in February 2015. A  
13 commissioner appointed as a public officer vacates his or her  
14 commission seat upon ceasing to hold such public office unless  
15 the appointing authority consents to completion of the term of  
16 office. Commissioners shall be selected for their special familiarity  
17 with the problems and issues in the field of transportation.

18 *This section shall remain in effect only until January 1, 2017,*  
19 *and as of that date is repealed, unless a later enacted statute, that*  
20 *is enacted before January 1, 2017, deletes or extends that date.*

21 SEC. 8. Section 66504 is added to the Government Code, to  
22 read:

23 66504. (a) Each commissioner’s term of office is four years.

24 (b) This section shall become operative on January 1, 2017.

25 SEC. 9. Section 66537 is added to the Government Code, to  
26 read:

27 66537. Any reference in any law to “Metropolitan  
28 Transportation Commission” or “MTC” shall be deemed to refer  
29 to the Bay Area Transportation Commission.

30 This section shall become operative on January 1, 2017.

31 SEC. 10. Section 30950 of the Streets and Highways Code is  
32 amended to read:

33 30950. For the purposes of this chapter, Chapter 4  
34 (commencing with Section 30910), and Chapter 4.5 (commencing  
35 with Section 31000), “the authority” is the Bay Area Toll  
36 Authority, which is hereby created. The authority is a public  
37 instrumentality governed by the same board as that governing the  
38 Metropolitan Transportation Commission. The authority is,  
39 however, a separate entity from the Metropolitan Transportation  
40 Commission.

1 *This section shall remain in effect only until January 1, 2017,*  
2 *and as of that date is repealed, unless a later enacted statute, that*  
3 *is enacted before January 1, 2017, deletes or extends that date.*

4 SEC. 11. Section 30950 is added to the Streets and Highways  
5 Code, to read:

6 30950. For the purposes of this chapter, Chapter 4  
7 (commencing with Section 30910), and Chapter 4.5 (commencing  
8 with Section 31000), “the authority” is the Bay Area Transportation  
9 Commission.

10 This section shall become operative on January 1, 2017.

11 SEC. 12. If the Commission on State Mandates determines  
12 that this act contains costs mandated by the state, reimbursement  
13 to local agencies and school districts for those costs shall be made  
14 pursuant to Part 7 (commencing with Section 17500) of Division  
15 4 of Title 2 of the Government Code.

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