

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 877

Introduced by Assembly Member Chu

February 26, 2015

An act to amend Section ~~14007.1~~ 14502 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 877, as amended, Chu. ~~Transportation: property acquisition.~~
Transportation.

Existing law creates the California Transportation Commission, with specified powers and duties relating to allocation of transportation capital funds through the state transportation improvement program process and various other responsibilities. Existing law provides for a commission of 13 members, composed of 9 members appointed by the Governor with the advice and consent of the Senate, one member appointed by the Speaker of the Assembly, one member appointed by the Senate Committee on Rules, and, as ex officio nonvoting members, one Member of the Assembly and one Member of the Senate.

This bill would expand the commission to 15 members, with one additional Member of the Assembly and one additional Member of the Senate as ex officio nonvoting members.

Existing law provides various sources of funding for transportation purposes, including the state highway system and local street and road systems. These funding sources include, among others, fuel excise taxes, vehicle weight fees, local transactions and use taxes, and federal funds.

This bill would state findings and declarations and the intent of the Legislature to enact legislation to find a funding stream to supplement

the fuel excise tax for transportation infrastructure projects in California.

~~Existing law provides that when the Department of Transportation or the High-Speed Rail Authority acquires title to real property for highway or high-speed rail purposes, as specified, and leases that property for commercial or business uses to the former owner for a term exceeding 6 months, the department or authority, as the case may be, may secure fire insurance for the property if the former owner requests the coverage and the premium is included in the rental agreed to be paid.~~

~~This bill would make nonsubstantive changes to these provisions.~~

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

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

1 *SECTION 1. The Legislature finds and declares as follows:*

2 *(a) The state needs more funding to invest in road systems, but*
 3 *the current financing methods are insufficient for the magnitude*
 4 *of work. In comparison to other states, the Federal Highway*
 5 *Administration found that California ranks 48th in rural interstate*
 6 *conditions and 49th in the condition of urban interstates.*

7 *(b) California receives a large portion of its transportation*
 8 *funding from a gasoline excise tax. In recent years, the revenues*
 9 *from this excise tax have decreased. Even though the revenues*
 10 *have decreased, the excise tax has stayed the same, creating a*
 11 *deficit in funding available for transportation infrastructure*
 12 *projects.*

13 *(c) Therefore, it is the intent of the Legislature to enact*
 14 *legislation to find a funding stream to supplement the expected*
 15 *drop in the fuel excise tax for transportation infrastructure projects*
 16 *in California. One possibility would be to create a surcharge to*
 17 *be paid by people who drive on the roads, highways, and bridges*
 18 *that will be needing repair. It is the intent of the Legislature, if it*
 19 *enacts such legislation, to ensure that such a surcharge would be*
 20 *fair to all drivers. It is the further intent of the Legislature to*
 21 *explore creating a two-tiered system, which would provide that a*
 22 *person who drives a car made in 2005 or before would pay a lesser*
 23 *surcharge than a person who drives a newer vehicle, and would*

1 *continue to pay the lesser surcharge if he or she purchases a newer,*
2 *more fuel-efficient vehicle.*

3 *SEC. 2. Section 14502 of the Government Code is amended to*
4 *read:*

5 14502. The commission consists of ~~13~~ 15 members appointed
6 as follows:

7 (a) Nine members shall be appointed by the Governor with the
8 advice and consent of the Senate. One member shall be appointed
9 by the Speaker of the Assembly and one member shall be appointed
10 by the Senate Committee on Rules, with neither of these members
11 subject to confirmation by the Senate. A member appointed
12 pursuant to this subdivision shall not simultaneously hold an
13 elected public office, or serve on any local or regional public board
14 or commission with business before the commission.

15 (b) ~~One Member~~ *Two Members* of the Senate appointed by the
16 Senate Committee on Rules and ~~one Member~~ *two Members* of the
17 Assembly appointed by the Speaker of the Assembly shall be ex
18 officio members without vote and shall participate in the activities
19 of the commission to the extent that such participation is not
20 incompatible with their positions as Members of the Legislature.

21 (c) Notwithstanding any other provision of law, a voting member
22 of the commission may serve on the High-Speed Rail Authority
23 as established in Division 19.5 (commencing with Section 185000)
24 of the Public Utilities Code.

25 ~~SECTION 1. Section 11007.1 of the Government Code is~~
26 ~~amended to read:~~

27 ~~11007.1. (a) The Department of Transportation, when it has~~
28 ~~acquired title to any real property for highway purposes and leases~~
29 ~~that property for commercial or business uses to the former owner~~
30 ~~for a term exceeding six months, may secure insurance against the~~
31 ~~risk of damage or destruction by fire if the former owner requests~~
32 ~~this coverage and the premium therefor is included in the rental~~
33 ~~agreed to be paid.~~

34 ~~(b) The High-Speed Rail Authority, when it has acquired title~~
35 ~~to any real property for high-speed rail purposes and leases that~~
36 ~~property for commercial or business uses to the former owner for~~
37 ~~a term exceeding six months, may secure insurance against the~~
38 ~~risk of damage or destruction by fire if the former owner requests~~
39 ~~this coverage and the premium therefor is included in the rental~~
40 ~~agreed to be paid.~~

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