

ASSEMBLY BILL

No. 2796

Introduced by Assembly Members Low and Bloom

February 19, 2016

An act to amend Section 2381 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2796, as introduced, Low. Active Transportation Program.

Existing law creates the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking, with specified available funds to be awarded to eligible projects by the California Transportation Commission and regional transportation agencies. Existing law requires the commission to award 50% and 10% of available funds to projects statewide and to projects in small urban and rural regions, respectively, with the remaining 40% of available funds to be awarded to projects by metropolitan planning organizations, with the funds available for distribution by each metropolitan planning organization based on its relative population.

This bill would require a minimum of 5% of available funds in each of the 3 distribution categories to be awarded for planning and community engagement for active transportation in disadvantaged communities. The bill would also require a minimum of 10% and a maximum of 30% of all available Active Transportation Program funds to be programmed for noninfrastructure purposes.

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

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

SECTION 1. Section 2381 of the Streets and Highways Code is amended to read:

2381. (a) The Active Transportation Program shall be funded by state and federal funds from appropriations in the annual Budget Act. Funds for the program shall be appropriated to the department, for allocation by the commission. The amount to be appropriated shall include 100 percent of the federal Transportation Alternative Program funds, except for any federal Recreational Trails Program funds appropriated to the Department of Parks and Recreation; twenty-one million dollars (\$21,000,000) of federal Highway Safety Improvement funds or other federal funds; and State Highway Account funds. Future funding may be augmented if state or federal funds increase, or if other funding sources are identified. Funds appropriated for the Active Transportation Program shall be distributed as follows:

(1) Forty percent to metropolitan planning organizations in urban areas with populations greater than 200,000, in proportion to their relative share of population. Funds allocated under this paragraph shall be obligated for eligible projects selected through a competitive process by the metropolitan planning organizations in consultation with the department and the commission and in accordance with guidelines established pursuant to this chapter.

(2) Ten percent to small urban and rural regions with populations of 200,000 or less, with projects competitively awarded by the commission to projects in those regions.

(3) Fifty percent to projects competitively awarded by the commission on a statewide basis.

(b) (1) For each of the funding distribution categories in paragraphs (1) to (3), inclusive, of subdivision (a), a minimum of 5 percent of available funds shall be awarded for planning and community engagement for active transportation in disadvantaged communities.

(2) A minimum of 10 percent and a maximum of 30 percent of the total funding available for distribution pursuant to subdivision (a) shall be programmed for noninfrastructure activities, including activities relating to safe routes to school.

~~(b)~~

1 (c) For the purpose of paragraph (1) of subdivision (a), the
2 following shall apply in the region served by the multicounty
3 designated transportation planning agency described in Section
4 130004 of the Public Utilities Code:

5 (1) The multicounty designated transportation planning agency
6 shall consult with the county transportation commissions created
7 pursuant to Sections 130050, 130050.1, and 132800 of the Public
8 Utilities Code, the commission, and the department in the
9 development of competitive selection criteria to be adopted by the
10 multicounty designated transportation planning agency, which
11 should include consideration of geographic equity, consistent with
12 program objectives.

13 (2) The multicounty designated transportation planning agency
14 shall place priority on projects that are consistent with plans
15 adopted by local and regional governments within the county where
16 the project is located.

17 (3) The multicounty designated transportation planning agency
18 shall obtain concurrence from the county transportation
19 commissions, adopt the projects selected in a comprehensive
20 program of projects, and make funds available to selected project
21 recipients.

22 (e)

23 (d) The Legislature finds and declares that the program described
24 in this chapter constitutes a highway purpose under Article XIX
25 of the California Constitution and justifies the expenditure of
26 highway funds therefor, and all expenditures of Article XIX funds
27 under this program shall be consistent with Article XIX.