

AMENDED IN SENATE MARCH 17, 2016

SENATE BILL

No. 951

Introduced by Senator McGuire

February 4, 2016

~~An act to amend Section 22350 of the Penal Code, relating to vehicles.~~
An act to amend Section 39719 of the Health and Safety Code, and to add and repeal Part 4 (commencing with Section 75240) of Division 44 of the Public Resources Code, relating to transportation, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 951, as amended, McGuire. ~~Vehicles: speed limit.~~ *Transportation: Golden State Patriot Passes Program.*

Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 10% of the annual proceeds of the fund to the Transit and Intercity Rail Capital Program and 5% of the annual proceeds of the fund to the Low Carbon Transit Operations Program.

This bill would appropriate \$3,000,000 annually until the 2020–21 fiscal year from the Greenhouse Gas Reduction Fund for the Golden State Patriot Passes Program, which the bill would create, to be administered by the Department of Transportation to provide veterans with free access to transit services. The bill would require the department, in coordination with the State Air Resources Board, to develop guidelines that describe the methodologies that a participating transit operator would use to demonstrate that proposed expenditures

would reduce greenhouse gas emissions, increase veteran mobility, and fulfill specified requirements. The bill would require the department to select 3 transit operators to participate, and would require a transit operator selected to participate in the program to match any state moneys that it receives through the program with local moneys. The bill would require the participating transit operators and the department to report on the program. The bill would repeal the program on January 1, 2022.

~~Existing law prohibits a person from driving a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed that endangers the safety of persons or property.~~

~~This bill would expressly prohibit a person from driving a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for objects and disabled vehicles on the side of the highway.~~

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

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

1 SECTION 1. This act shall be known and may be cited as the
2 Golden State Patriot Passes Program.

3 SEC. 2. Section 39719 of the Health and Safety Code is
4 amended to read:

5 39719. (a) The Legislature shall appropriate the annual
6 proceeds of the fund for the purpose of reducing greenhouse gas
7 emissions in this state in accordance with the requirements of
8 Section 39712.

9 (b) To carry out a portion of the requirements of subdivision
10 (a), annual proceeds are continuously appropriated for the
11 following:

12 (1) Beginning in the 2015–16 fiscal year, and notwithstanding
13 Section 13340 of the Government Code, 35 percent of annual
14 proceeds are continuously appropriated, without regard to fiscal
15 years, for transit, affordable housing, and sustainable communities
16 programs as following:

17 (A) Ten percent of the annual proceeds of the fund is hereby
18 continuously appropriated to the Transportation Agency for the
19 Transit and Intercity Rail Capital Program created by Part 2

(commencing with Section 75220) of Division 44 of the Public Resources Code.

(B) Five percent of the annual proceeds of the fund is hereby continuously appropriated to the Low Carbon Transit Operations Program created by Part 3 (commencing with Section 75230) of Division 44 of the Public Resources Code. Funds shall be allocated by the Controller, according to requirements of the program, and pursuant to the distribution formula in subdivision (b) or (c) of Section 99312 of, and Sections 99313 and 99314 of, the Public Utilities Code.

(C) Twenty percent of the annual proceeds of the fund is hereby continuously appropriated to the Strategic Growth Council for the Affordable Housing and Sustainable Communities Program created by Part 1 (commencing with Section 75200) of Division 44 of the Public Resources Code. Of the amount appropriated in this subparagraph, no less than 10 percent of the annual proceeds, shall be expended for affordable housing, consistent with the provisions of that program.

(2) Beginning in the 2015–16 fiscal year, notwithstanding Section 13340 of the Government Code, 25 percent of the annual proceeds of the fund is hereby continuously appropriated to the High-Speed Rail Authority for the following components of the initial operating segment and Phase I Blended System as described in the 2012 business plan adopted pursuant to Section 185033 of the Public Utilities Code:

(A) Acquisition and construction costs of the project.

(B) Environmental review and design costs of the project.

(C) Other capital costs of the project.

(D) Repayment of any loans made to the authority to fund the project.

(c) In determining the amount of annual proceeds of the fund for purposes of the calculation in subdivision (b), the funds subject to Section 39719.1 shall not be included.

(d) There is hereby appropriated three million dollars (\$3,000,000) annually for the 2017–18 to 2020–21, inclusive, fiscal years from the proceeds of the fund to the Golden State Patriot Passes Program created pursuant to Part 4 (commencing with Section 75240) of Division 44 of the Public Resources Code.

SEC. 3. Part 4 (commencing with Section 75240) is added to Division 44 of the Public Resources Code, to read:

1
2 **PART 4. GOLDEN STATE PATRIOT PASSES PROGRAM**
3

4 75240. (a) *The Golden State Patriot Passes Program is hereby*
5 *created as a pilot program to provide veterans with free access to*
6 *transit services and thereby reduce greenhouse gas emissions and*
7 *increase veteran mobility.*

8 (b) *The Department of Transportation shall administer the*
9 *program.*

10 (c) *Moneys appropriated by the Legislature for this part shall*
11 *be allocated by the Controller, upon a determination by the*
12 *Department of Transportation that the expenditures proposed by*
13 *a participating transit operator meet the requirements of this part*
14 *and guidelines developed pursuant to subdivision (d).*

15 (d) (1) *The Department of Transportation, in coordination with*
16 *the State Air Resources Board, shall develop guidelines that*
17 *describe the methodologies that a participating transit operator*
18 *shall use to demonstrate that proposed expenditures would reduce*
19 *greenhouse gas emissions, increase veteran mobility, and fulfill*
20 *the requirements specified in subdivisions (e) and (f).*

21 (2) *Chapter 3.5 (commencing with Section 11340) of Part 1 of*
22 *Division 3 of Title 2 of the Government Code does not apply to*
23 *the development of guidelines for the program pursuant to this*
24 *part.*

25 (e) (1) *By January 1, 2018, the Department of Transportation*
26 *shall select three transit operator applicants to receive moneys*
27 *through the pilot program.*

28 (2) *If there are sufficient applicants, all of the following*
29 *requirements shall apply to the selection of transit operator*
30 *applicants:*

31 (A) *The Department of Transportation shall not select a transit*
32 *operator applicant that, at that time, provides veterans with free*
33 *access to transit services in its service area.*

34 (B) *The Department of Transportation shall select applicants*
35 *that serve entirely different counties.*

36 (C) *The Department of Transportation shall select one applicant*
37 *that primarily serves an urban area, one applicant that primarily*
38 *serves a suburban area, and one applicant that primarily serves*
39 *a rural area. For purposes of this part, the department shall*

1 *determine which areas are urban, suburban, and rural, based on*
2 *United States Census data.*

3 *(3) Only a public agency, including, but not limited to, a transit*
4 *operator within a city or county or city and county, shall be eligible*
5 *to participate in any manner in the program.*

6 *(f) (1) A transit operator selected to participate in the program*
7 *shall match any state moneys that it receives through the program*
8 *with local moneys made available to it for purposes consistent*
9 *with the program.*

10 *(2) The participating transit operator primarily serving an*
11 *urban area shall not receive more than two million dollars*
12 *(\$2,000,000) in state moneys per fiscal year under the program.*

13 *(3) The participating transit operator primarily serving a*
14 *suburban area shall not receive more than nine hundred thousand*
15 *dollars (\$900,000) in state moneys per fiscal year under the*
16 *program.*

17 *(4) The participating transit operator primarily serving a rural*
18 *area shall not receive more than one hundred thousand dollars*
19 *(\$100,000) in state moneys per fiscal year under the program.*

20 *(g) In order to receive free access to the transit services offered*
21 *pursuant to this part, a veteran shall provide a veterans*
22 *identification card issued by a veterans service organization, or*
23 *a driver's license or identification card, identifying the holder as*
24 *a veteran and issued by the Department of Motor Vehicles pursuant*
25 *to paragraph (5) of subdivision (c) of Section 12811 of the Vehicle*
26 *Code.*

27 *(h) In selecting applicants, the Department of Transportation*
28 *shall ensure that benefits are provided by the pilot program to*
29 *disadvantaged communities consistent with the requirements of*
30 *Section 39713 of the Health and Safety Code.*

31 *75245. (a) Each participating transit operator shall prepare*
32 *and submit a report regarding the pilot program to the Department*
33 *of Transportation by February 1, 2021.*

34 *(b) The Department of Transportation shall prepare and submit*
35 *a report based on the reports of the participating transit operators*
36 *to the Legislature by August 1, 2021.*

37 *(c) The reports specified in subdivisions (a) and (b) shall*
38 *include, but not be limited to, a discussion of all of the following*
39 *issues:*

40 *(1) Cost.*

1 (2) *Use of moneys.*

2 (3) *Estimated reduction in greenhouse gas emissions.*

3 (4) *Ridership.*

4 75249. *This part shall remain in effect only until January 1,*

5 *2022, and as of that date is repealed, unless a later enacted statute,*

6 *that is enacted before January 1, 2022, deletes or extends that*

7 *date.*

8 ~~SECTION 1. Section 22350 of the Vehicle Code is amended~~
9 ~~to read:~~

10 ~~22350. A person shall not drive a vehicle upon a highway at a~~

11 ~~speed greater than is reasonable or prudent having due regard for~~

12 ~~weather, visibility, the traffic on, objects and disabled vehicles on~~

13 ~~the side of, and the surface and width of, the highway, and in no~~

14 ~~event at a speed that endangers the safety of persons or property.~~