

Introduced by Senator Kelley

February 16, 1995

An act to amend Section 14031.6 of the Government Code, to amend Section 99317 of the Public Utilities Code, and to amend Sections 164.55 and 188 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 457, as introduced, Kelley. Transportation: funding: California Transportation Commission.

Under existing law, the California Transportation Commission is required every 2 years to adopt a 7-year state transportation improvement program for the programming of funds from the State Highway Account in the State Transportation Fund. Within each 4-year period beginning July 1, 1988, the funds, with the exception of those for specified programs, are required to be programmed in accordance with the so-called county minimums and north-south split formulas.

This bill would recast the above provisions to include specified net revenues from the Passenger Rail Transportation Bond Law, would require the funds to be allocated and expended, rather than programmed, and would establish 5-year periods, rather than 4-year periods. The bill would make related changes, including a change in provisions that may be amended only by a $\frac{2}{3}$ vote of the Legislature.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 14031.6 of the Government
2 Code is amended to read:

3 14031.6. (a) The Governor shall include in the
4 Budget Bill an appropriation from the Transportation
5 Planning and Development Account in the State
6 Transportation Fund or from other appropriate sources
7 to subsidize the operating costs of commuter and
8 intercity passenger services pursuant to Section 14035
9 and an appropriation for capital outlay improvements to,
10 and rolling stock for, intercity routes pursuant to Section
11 14038.

12 (b) The department shall request funding for capital
13 improvements to commuter routes to which it provides
14 subsidies through the transit capital improvement
15 process established by Section 99317 of the Public Utilities
16 Code.

17 (c) The department shall request funding for capital
18 improvements and rolling stock for intercity rail
19 passenger routes pursuant to Sections 14035 and 14038
20 through the transit capital improvement process
21 established by the Public Utilities Code. *All funding for*
22 *purposes described in this subdivision shall be*
23 *programmed and allocated in accordance with Section*
24 *188 of the Streets and Highways Code.*

25 (d) This section does not apply to funds made available
26 from general obligation bonds issued for purposes of
27 Section 164.55 of the Streets and Highways Code.

28 SEC. 2. Section 99317 of the Public Utilities Code is
29 amended to read:

30 99317. (a) Funds made available pursuant to
31 subdivision (b) of Section 99315 shall be appropriated to
32 the department for allocation, as directed by the
33 commission, to fund the following types of transit capital
34 improvement projects:

- 35 (1) Railroad rights-of-way acquisition.
- 36 (2) Bus rehabilitation.
- 37 (3) Exclusive public mass transit guideways and
- 38 rolling stock.



1 (4) Grade separations.

2 (5) Intermodal transfer stations serving various
3 transportation modes.

4 (6) Ferry vessels and terminals.

5 (b) Funds made available for capital outlay pursuant
6 to subdivision (a) of Section 14031.6 of the Government
7 Code and subdivision (a) of Section 99315 shall be
8 appropriated to the department, as directed by the
9 commission, solely for capital outlay improvements and
10 rolling stock on intercity rail passenger routes. *All*
11 *funding described in this subdivision shall be*
12 *programmed and allocated in a manner consistent with*
13 *Section 188 of the Streets and Highways Code.*

14 (c) Funds made available pursuant to Sections 199 and
15 199.1 of the Streets and Highways Code shall be
16 appropriated to the department for allocation, as
17 directed by the commission, solely to fund exclusive
18 public mass transit guideways.

19 (d) The amount of funds allocated for a transit capital
20 improvement project, other than an intercity rail transit
21 capital improvement project where matching funds are
22 not required, shall not exceed 50 percent of the amount
23 of the nonfederal share of project cost.

24 (e) With respect to the sum of money available each
25 fiscal year from the State Highway Account and the
26 Transportation Planning and Development Account for
27 transit capital improvements, the commission shall
28 include, in the state transportation improvement
29 program, one-half of the sum for expenditure in those
30 counties which have adopted a proposition pursuant to
31 Section 4 of Article XIX of the California Constitution.
32 The portion of the amount to be included in the state
33 transportation improvement program for each of those
34 counties shall be in the proportion that its population
35 bears to the total population of all those counties.
36 Allocations pursuant to this subdivision shall be subject to
37 the requirements for guideway financial plans and the
38 ability of an agency to encumber funds on a timely basis,
39 as specified in Sections 199.1, 199.2 and 199.3 of the Streets
40 and Highways Code.



1 (f) The Legislature may amend this section, by statute
2 passed in each house of the Legislature by rollcall vote
3 entered in the journal, two-thirds of the membership
4 concurring, if the statute is consistent with, and furthers
5 the purposes of, this section.

6 SEC. 3. Section 164.55 of the Streets and Highways
7 Code is amended to read:

8 164.55. (a) The department, in cooperation with
9 local transportation officials, shall develop guidelines to
10 implement the intercity rail program. The guidelines
11 shall define the criteria to identify and prioritize projects
12 which can be implemented not later than June 30, 2001,
13 and will provide an efficient system of intercity rail
14 services in the state.

15 (b) Allocations for intercity rail projects are not
16 required by this section to be matched by local entities.

17 (c) The commission shall give high priority and an
18 appropriate level of funding, *consistent with Section 188*,
19 to the development and enhancement of an efficient and
20 effective intercity passenger rail system in the state.

21 (d) “Intercity rail” has the same meaning as the term
22 “intercity rail passenger service” as defined in the Rail
23 Passenger Service Act (45 U.S.C. Sec. 502(11)).

24 (e) Intercity rail projects eligible for funding include
25 the following corridors:

26 (1) Los Angeles-San Diego.

27 (2) Santa Barbara-Los Angeles.

28 (3) Los Angeles-Fresno-San Francisco Bay area and
29 Sacramento.

30 (4) San Francisco Bay area-Sacramento-Auburn.

31 (5) San Francisco-Santa Rosa-Eureka.

32 (6) Santa Barbara-San Luis Obispo County-San Jose.

33 (7) Los Angeles-Fullerton-Riverside-Coachella
34 Valley-Calexico.

35 (f) The department shall submit the guidelines to the
36 commission not later than July 1, 1990, and the
37 commission shall adopt the guidelines not later than
38 September 1, 1990.

39 (g) Any intercity rail corridor that was included
40 among the corridors enumerated in subdivision (e)



1 subsequent to the enactment of this section by Chapter
2 106 of the Statutes of 1989 is eligible to compete for
3 funding, and funds that had been programmed or
4 allocated prior to the inclusion of the additional eligible
5 corridors need not be programmed or reallocated.

6 SEC. 4. Section 188 of the Streets and Highways Code
7 is amended to read:

8 188. (a) ~~All federal and state funds to be allocated by~~
9 ~~the commission for flexible congestion relief, urban and~~
10 ~~commuter rail, interregional roads, and noise attenuation~~
11 ~~barriers, which are to be expended for construction,~~
12 ~~including the acquisition of rights-of-way, reconstruction,~~
13 ~~and construction engineering, shall be programmed~~
14 ~~during the period commencing on July 1, 1989, and~~
15 ~~ending on June 30, 1993, and for each four-year period~~
16 ~~thereafter, 40 percent in County Group No. 1 and 60~~
17 ~~percent in County Group No. 2.~~

18 (b) ~~Notwithstanding subdivision (a) and Section~~
19 ~~14526.5 of the Government Code, all federal and state~~
20 ~~funds for rehabilitation, safety, and maintenance that~~
21 ~~were programmed or projected to be programmed by the~~
22 ~~commission prior to July 1, 1992, for construction prior to~~
23 ~~July 1, 1997, shall be treated as flexible congestion relief.~~

24 (c) ~~Subject to this article and Section 825, all money~~
25 ~~allocated by the commission from the State Highway~~
26 ~~Account, and the net revenues from the Passenger Rail~~
27 ~~Transportation Bond Fund for streets, highways,~~
28 ~~guideways, and rail, but not including allocations or~~
29 ~~expenditures for projects for maintenance, traffic system~~
30 ~~management, and the state-local transportation~~
31 ~~partnership program, that are expended for construction,~~
32 ~~including the acquisition of rights-of-way, reconstruction,~~
33 ~~and construction engineering, shall be allocated and~~
34 ~~expended as follows: during the period commencing on~~
35 ~~July 1, 1989, and ending on June 30, 1993, and the period~~
36 ~~commencing on July 1, 1993, and ending on June 30, 1998,~~
37 ~~and for each five-year period thereafter, 40 percent in~~
38 ~~County Group No. 1 and 60 percent in County Group No.~~
39 ~~2. Not more than one-half of 1 percent of the money~~
40 ~~allocated to the state highways in a particular group may~~



1 *be used as state aid to joint highway districts within that*
2 *group in accordance with the laws pertaining to the*
3 *financing of highways within joint highway districts.*

4 (b) This section shall be known and may be cited as the
5 Barnes-Mills-Walsh formula.

