

AMENDED IN SENATE APRIL 30, 2009

SENATE BILL

No. 716

Introduced by Senator Wolk

February 27, 2009

An act to ~~add Section 99233.6 to~~ amend Sections 99400 and 99401.6 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 716, as amended, Wolk. Local transportation funds.

Existing law requires that $\frac{1}{4}\%$ of the local sales and use tax be transferred to the local transportation fund of the county and be allocated, as directed by the transportation planning agency, for various transportation purposes. *Existing law specifies the allowable uses for local transportation funds, and generally requires these funds to be used for transit purposes in urban counties, while in counties with a population under 500,000 as of the 1970 census and certain other counties, these funds may also be used for local streets and roads if the transportation planning agency finds that there are no unmet transit needs or no unmet transit needs that are reasonable to meet.*

~~This bill would authorize a county, city, county transportation commission, or transit operator to file a claim for an allocation of funds for vanpool service operation expenditures and capital improvement expenditures, including for vanpool services for purposes of farmworker transportation to and from work, in those counties where local transportation funds may be allocated to local streets and roads, would also authorize use of those funds for specified farmworker vanpool purposes upon a finding by the transportation planning agency that there are no unmet transit needs or no unmet transit needs that are reasonable to meet.~~

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

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

1 SECTION 1. Section 99400 of the Public Utilities Code is
2 amended to read:
3 99400. Claims may be filed under this article with the
4 transportation planning agency by counties and cities for the
5 following purposes and by transit districts for the purposes
6 specified in subdivisions (c) to ~~(e)~~ (f), inclusive:
7 (a) Local streets and roads, and projects which are provided for
8 use by pedestrians and bicycles.
9 (b) Passenger rail service operations and capital improvements.
10 (c) Payment to any entity which is under contract with a county,
11 city, or transit district for public transportation or for transportation
12 services for any group, as determined by the transportation planning
13 agency, requiring special transportation assistance.
14 If the county, city, or transit district is being served by an
15 operator, the contract entered into by the county, city, or transit
16 district shall specify the level of service to be provided, the
17 operating plan to implement that service, and how that service is
18 to be coordinated with the public transportation service provided
19 by the operator. Prior to approving any claim filed under this
20 section, the transportation planning agency, or the county
21 transportation commission in a county with such a commission,
22 shall make a finding that the transportation services contracted for
23 under subdivision (c) are responding to a transportation need not
24 otherwise being met within the community or jurisdiction of the
25 claimant and that, where appropriate, the services are coordinated
26 with the existing transportation service.
27 (d) Payments to counties, cities, and transit districts for their
28 administrative and planning cost with respect to transportation
29 services under subdivision (c).
30 (e) Notwithstanding any other provision of this chapter, a
31 claimant for funds pursuant to subdivision (c) may also receive
32 payments for capital expenditures to acquire vehicles and related
33 equipment, bus shelters, bus benches, and communication
34 equipment for the transportation services.

1 (f) Acquisition or lease of vans and related equipment, but not
2 for operating costs, for a farmworker vanpool program for
3 purposes of farmworker transportation to and from work.

4 SEC. 2. Section 99401.6 of the Public Utilities Code is amended
5 to read:

6 99401.6. Upon adoption of a finding, pursuant to subdivision
7 (d) of Section 99401.5 that there are no unmet transit needs or that
8 there are no unmet transit needs that are reasonable to meet, the
9 transportation planning agency may allocate funds for local streets
10 and roads *or for a vanpool program as specified in subdivision (f)*
11 *of Section 99400*. The allocation shall not become effective until
12 20 days after acknowledgment of receipt by the Department of
13 Transportation of documents of the agency's finding. The
14 transportation planning agency shall, in any case, submit the
15 documentation before August 15 of the fiscal year of the allocation
16 or within 10 days after the adoption of the finding, whichever is
17 later. The documentation shall include all of the following:

18 (a) A copy of the notice of hearing and proof of publication and
19 a description of the actions taken to solicit citizen participation
20 pursuant to Section 99238. 5.

21 (b) A copy of the resolution or minutes documenting the
22 transportation planning agency's definitions of "unmet transit
23 needs" and "reasonable to meet," as determined pursuant to
24 subdivision (c) of Section 99401.5.

25 (c) A copy of the resolution adopting the unmet needs finding
26 described in subdivision (d) of Section 99401.5.

27 ~~SECTION 1. Section 99233.6 is added to the Public Utilities~~
28 ~~Code, to read:~~

29 ~~99233.6. Any county, city, county transportation commission,~~
30 ~~or operator may file claims with the transportation planning agency~~
31 ~~for vanpool service operation expenditures and capital~~
32 ~~improvement expenditures, including for vanpool services for~~
33 ~~purposes of farmworker transportation to and from work.~~