

**AGENDA:** February 2, 2023

**TO:** Regional Transportation Commission (RTC)  
**FROM:** Matt Schroeder and Rachel Moriconi, Transportation Planners  
**REGARDING:** 2023 State and Federal Legislative Programs

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## **RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission (RTC) receive updates on state and federal legislative issues and adopt the RTC's legislative program ([Attachment 1](#)) to assist in analyzing the transportation impacts of legislative activities in 2023.

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## **BACKGROUND**

Each year the Regional Transportation Commission (RTC) adopts a legislative platform to guide its analysis of state and federal legislative or administrative actions that could impact transportation funding or the implementation of the Regional Transportation Plan (RTP), Regional Transportation Improvement Program (RTIP), Measure D, and priority transportation projects in Santa Cruz County. Working with local jurisdictions, the Central Coast Coalition (regional transportation agencies from Monterey, San Benito, Santa Barbara, San Luis Obispo, and Santa Cruz Counties), the California Association of Councils of Governments (CALCOG), the Self Help Counties Coalition, and other transportation entities, the RTC monitors legislative proposals, notifies state and federal representatives of the RTC's analysis of key issues, and provides input on other federal and state actions.

## **DISCUSSION**

The RTC legislative platform guides staff and board member comments on state and federal legislative and administrative proposals that may arise throughout the year. The platform is also used to advance regional projects and key goals and targets in the *Santa Cruz County [Regional Transportation Plan](#)*, which focuses on sustainability to improve multimodal access and mobility in ways that improve health, reduce pollution and retain money in the local economy; reduce collisions and improve safety; maintain existing transportation infrastructure and services; and deliver improvements cost-effectively, equitably and responsively to the needs of all users of the transportation system and the natural environment. As part of the legislative work program, RTC works to ensure that transportation-related statutes and guidelines are structured in a

manner that considers Santa Cruz County's significant maintenance, active transportation and transit system needs, traffic congestion, and sustainability goals.

**Staff recommends that the RTC review draft legislative priorities, identify any additional issues that the RTC should consider, monitor, or pursue, and approve the 2023 State and Federal Legislative Program (Attachment 1).** Changes from the 2022 Legislative Program are shown in underline and ~~strikeout~~. Staff presented the draft Legislative Program to the Bicycle Committee and Elderly and Disabled Transportation Advisory Committee (E&D TAC) in December 2022 and solicited input from the Interagency Technical Advisory Committee (ITAC).

Generally, the RTC's legislative program covers legislative and administrative actions that:

- Involve funding or a funding mechanism for transportation projects and programs;
- Involve the implementation of transportation and greenhouse gas emission reduction policies and programs;
- Involve transportation and land use;
- Involve project implementation and the environmental review process; and
- Affect the Commission directly (e.g., Commission responsibilities, policies, or operations).

### 2023 Focus

In 2023, the continued implementation of the multiyear federal transportation act (Infrastructure Investment and Jobs Act (IIJA)), modernization of the Brown Act related to remote/virtual meetings, climate resiliency, the state budget, ongoing increased funding for the Active Transportation Program (ATP) and transit operations, implementation of the Climate Action Plan for Transportation Infrastructure (CAPTI), and SB375 implementation and "reform" are anticipated to remain key topic areas. Storm damage repairs will also be a critical focus area. The RTC will work with CalCOG, the Central Coast Coalition, and partner agencies to address priorities identified in the RTC legislative platform.

### State Budget

Although the FY2022/23 state budget included significant supplemental transportation investments in 2022 and 2023/24, there is uncertainty about how much of that funding will materialize. Unlike the past two years, which experienced substantial budget surpluses (\$100 billion last fiscal year), the Governor's January budget proposal is projecting a \$22.5 billion deficit for the next fiscal year (mostly due to lower capital gain revenues). In total, tax revenues are projected to be 9.6% less than what was assumed in last year's budget, and some legislators predict the deficit may be even greater. These lower revenue assumptions are anticipated to dominate and influence budget

and policy discussions. The Governor's proposal for transportation and climate includes \$2.7 billion in cuts from General Fund revenues previously designated for transportation and climate programs. The Governor proposes to delay some spending, shift State Highway Account funds to backfill General Funds for some programs and reduce funding for some programs. Due to continuing uncertainties, the Governor does not plan to tap into cash reserves to address the deficit.

While the state budget continues to make historic investments in transportation, some of the budget proposals that could impact local projects include:

- Transit and Intercity Rail Capital Program (TIRCP): Last year the budget package included an additional \$4 billion split between FY2024 and FY2025, expected to be distributed to regions via the 99313 State Transit Assistance (STA) population formulas over two years. The Governor proposes to shrink it to \$2 billion total, reducing and spreading the supplemental funds to \$1B in FY23/24, \$500 million (\$M) in FY2025, and \$500M in FY2026. The proposal includes a trigger to restore any reductions if revenues return by January 2024.
- Active Transportation Program (ATP): \$500M reduction in General Fund revenues, but \$300M of the reduction was restored from the State Highway Account (SHA). The Governor proposes an advance of \$200M from future ATP cycles in order to cover all of the projects approved by the California Transportation Commission (CTC) in December 2022.
- Climate Adaptation Program (CATP): \$200M General Funds to be replaced with \$200M from the SHA;
- State Highway Operation and Protection Program (SHOPP): Future cycles of SHOPP may be reduced as a result of SHA funds being shifted to other programs;
- 26% reduction in coastal resilience funds. The 2021 climate resilience package funded a new regional climate adaptation planning and implementation program housed at the Governor's Office of Planning & Research. The program received \$150 million over the past two years and originally was slated for an additional \$100 million in fiscal 2023-24. Gov. Newsom's budget proposes to pull back \$25 million of previously appropriated funds and to eliminate FY2024 investments.
- New flood protection and flood reduction programs;
- ZEV: \$9 billion in funding for zero-emission vehicles (ZEV) spread over five years and an additional allocation of funds to ZEV if cap-and-trade revenues exceed projections. California's zero-emission vehicle (ZEV) transition for passenger vehicles, buses, other heavy-duty vehicles, and boats received \$10 billion in general funds in the FY2022 and FY2023 budgets. Gov. Newsom proposes to reduce the General Fund contribution by \$2.5 billion, but to partially offset these cuts with \$1.4 billion from the Greenhouse Gas Reduction Fund. The budget plan directs any additional Cap-and-Trade auction proceeds toward ZEV programs.

- Community Air Protection Program: Directs \$250 million in Cap-and-Trade funds to partially offset a proposed \$300 million reduction in General Fund support for the program.
- In total, the budget proposes \$1.65 billion in discretionary Cap-and-Trade expenditures.

In addition to the proposals summarized above, the Governor's initial budget proposal does not include additional funding for transit operations. This lack of supplemental funding, in addition to the proposed reduction in supplemental TIRCP formula funds, is a significant concern to transit agencies who continue to experience significant funding shortfalls due to a combination of slow ridership recovery and the exhaustion of federal COVID relief funds. A proposed top legislative priority for the RTC this year is to support legislation that would aid METRO in sustaining existing service and funding enhancements to attract new riders. Several legislative leaders have already indicated their support for additional transit funds.

The Governor expects the state to secure federal Infrastructure Investment and Jobs Act (IIJA) funds to supplement climate and transportation programs and soften the impact of the cuts. The state is also exploring a potential bond for climate projects.

Budget subcommittee hearings will begin within the next month or so, and revisions to the proposed budget are due in May, with deadlines for the state Legislature to pass the final Fiscal Year 2023-24 state budget and send it to the Governor by June 15 for his action by July 1. Staff will advocate for continued transportation investments to support RTC priorities, despite lower revenue projections.

#### Recent Federal Activities

In December, Congress and the President approved the \$1.7 trillion spending bill that included thousands of earmarks nationwide, including \$1.5 million for the Boulder Creek Sidewalks, as requested by Congressmember Eshoo on behalf of the RTC.

The RTC and Caltrans have also been awarded \$30 million in MEGA funds for the Watsonville-Santa Cruz Multimodal Corridor Highway 1 auxiliary lanes/bus-on-shoulder facilities between Freedom Blvd and State Park Drive and four new METRO buses to be operated on this new facility.

The RTC also received notice that it has been approved to receive \$9,176,680 in FLAP funds for Segment 5 of the Rail Trail, including \$4.45 million for a new bike/pedestrian crossing of Highway 1 connecting Yellowbank Beach and the Cotoni-Coast Dairies National Monument.

### Recap of 2022 State Legislation

In 2022, the Legislature sent 1166 bills to Governor Newsom for consideration, 442 were Senate bills and 724 were Assembly bills. In total, the Governor signed 997 into law and vetoed 169 bills. A few of the bills signed into law that RTC staff tracked last year include:

- AB 1909 (Friedman) Vehicles: bicycle omnibus bill. Updates rules regarding bans for certain electric bikes on trails and paths; requires motor vehicles overtaking bikes to move over a lane when passing if possible; eliminate bicycle registration requirements.
- AB 1938 (Friedman) Traffic safety: speed limits. Allows cities more flexibility to lower speed limits and includes strict definitions of what defines a speed trap.
- AB 2449 (Rubio): Sets new requirements for teleconference and hybrid meetings. This bill may impact RTC committee and board meetings when there is no longer a state-of-emergency.
- SB 922 (Wiener): Adds CEQA exemptions for sustainable transportation projects, including improvements for walking, biking, public transit efficiency and wayfinding; rail stations; zero-emission transit refueling facilities; and carpooling.
- SB 942 (Newman): Allows Low Carbon Transit Operations Program (LCTOP) funds (which RTC is responsible for programming) to be used for free or reduced transit fares.
- SB 1121 (Gonzalez) State & local transportation needs assessment. Requires the CTC to work with Caltrans to prepare a needs assessment on the cost to operate, maintain, and provide for the growth of the transportation system and to submit a report to the Legislature by 2024. The proposed FY2024 budget includes additional funds for this effort.

### **Next Steps**

Staff will monitor legislative proposals throughout the year and advocate for transportation-related statutes and guidelines that advance RTC priorities, consistent with the RTC's adopted legislative program. Staff will periodically provide updates to the RTC board on major state and federal legislative and administrative proposals and will meet with legislators and state and federal agencies departments to discuss actions that could support the implementation of RTC priorities. The RTC Chair will also participate in the Central Coast Coalition's annual Sacramento Advocacy Day in March to highlight key issues on the Central Coast.

### **FISCAL IMPACT**

Through the RTC's legislative program, the RTC tracks and provides input on state and federal legislative and administrative actions that could impact the amount of funding available for transportation projects in Santa Cruz County or the cost to implement projects. The RTC budget includes funding for staff to

monitor and provide input on legislation. The RTC receives some assistance tracking and providing input on legislation as a member of the Central Coast Coalition, the California Council of Governments (CalCOG), the Self Help County Coalition (SHCC), and the California Special District Association. While the RTC does not currently have a contract with federal or state consultants to help track and implement this work, staff may recommend contracting with consultants to provide assistance in the future.

## **SUMMARY**

Each year the Regional Transportation Commission (RTC) adopts legislative priorities to guide its analysis of state and federal legislative or administrative actions that could impact transportation projects in Santa Cruz County. The legislative program ([Attachment 1](#)) is used to support transportation-related statutes and guidelines that recognize Santa Cruz County's significant transportation funding, traffic congestion, maintenance, safety, active transportation, and transit system needs, as well as the RTC's sustainability goals.

### Attachments

1. Draft 2023 State and Federal Legislative Programs

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## **Santa Cruz County Regional Transportation Commission 2023 STATE Legislative Program**

*Additions and deletions from 2022 shown in underline/~~strikeout~~.*

### **Focus Areas in 2023**

- Support efforts related to **adaptation, resilience, and response to natural hazards** and the impacts of climate change, including extreme storms, sea level rise, and wildfires. Support funding for storm damage repairs and flexibility to integrate complete streets into reconstruction projects.
- Implementation of the federal Infrastructure Investment and Jobs Act (**IIJA**). Maximize funding for priority projects in Santa Cruz County.
- State Budget: Maximize ~~General Fund surplus~~ funds for **Sustain and increase state funding for Active Transportation Program (ATP), transit** operations and other improvements to increase ridership, local system preservation, and local/regional priority transportation projects. Oppose efforts that could reduce transportation funding.\*
- Support efforts to **reduce greenhouse gas emissions (GHG) and improve mobility. Increase funding sustainable transportation** and support equitable access to **zero-emission vehicles** and infrastructure. Pursue changes to SB375 Sustainable Communities Strategy (SCS) that support GHG emission reduction and reduce bureaucratic burdens.
- Support modifications to the **Brown Act** to maximize and enhance public and committee member participation in virtual and in-person meetings, reduce VMT, and alleviate barriers to serving on advisory committees.\*
- Ensure legislative and administrative actions **support the implementation of priority transportation projects and programs**, including Measure D projects. Maintain and increase funding for RTC projects and programs, support streamlining and other actions which could expedite delivery of projects and oppose efforts that could hinder or increase the cost to implement priorities.
- Support legislative and administrative actions that will improve safety on state highways and local roads, including **speed limit reductions** and Caltrans Director's order related to **complete streets**, especially where state highways serve as main streets.
- ~~Support state and federal **COVID-19 relief and stimulus funding** to support economic recovery and make-up for state, local transportation revenue losses, especially for transit operators.~~
- Support new transportation funding mechanisms to replace gas and diesel taxes, considering vehicle fuel economy and zero-emission vehicle adoption.\*

*\*Starred items are also part of the Central Coast Coalition's legislative platform*



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## **Ongoing Priorities**

### **Transportation Funding**

- **Protect Transportation Funding:** Preserve existing and new funding for transportation projects, maximize funding for Santa Cruz County transportation projects, and preserve regional discretion and priority-setting.
  - Stable formula funding is essential for addressing the backlog of transportation infrastructure repairs and improvements in Santa Cruz County. Protect current and future taxes and fees and other transportation funds (including Highway Users Tax Account (HUTA), Transportation Development Act (TDA), State Transportation Improvement Program (STIP), Active Transportation Program (ATP), and other funds) from elimination or diversion to other state programs, General Fund loans, general obligation bond debt service, or to other non-transportation purposes.
  - Support actions that preserve the intent of Senate Bill 1 (SB1) and local measure funding to allow the state, regions, and local agencies to maintain, protect, and improve existing transportation funds dedicated to transit, congestion management on the state highway system, lifeline arterials, and goods movement routes while also addressing immediate and long-term unmet funding needs.
  - Monitor the implementation efforts related to Executive Order N-19-19, which directs the California State Transportation Agency (CalSTA) to invest its annual \$5 billion portfolio to help reduce transportation-related greenhouse gas emissions and to ensure that state funds, specifically SB 1 funds, continue to be used for transportation purposes. Ensure that state regulations do not negatively impact the implementation of the voter-approved Measure D Expenditure Plan.
  - With increased emphasis on vehicle fuel economy and zero-emission vehicle adoption, explore and support new funding mechanisms to replace gas and diesel taxes for transportation investments. Monitor proposals such as pay-by-the-mile user fees, public-private partnerships, vehicle registration fees, or wholesale energy taxes. Ensure that proposals are equitable to disadvantaged individuals and rural areas.
  - Oppose proposals that could tie transportation fund availability to local jurisdictions, to non-transportation and development projects.
  - Support actions to increase the flexibility of use of Transit and Intercity Rail Capital Program (TIRCP) funds.
- **Increase and Preserve Funding for Priority Projects in Santa Cruz County:**
  - Projects on Highway 1
  - Local Street and Roadway Preservation and storm damage repairs
  - Transit projects, including funding for project development
  - Bicycle and Pedestrian facilities, including the Monterey Bay Sanctuary Scenic Trail Network (MBSST) and those located in the San Lorenzo Valley
  - Santa Cruz Branch Rail Line preservation
  - Transportation Demand Management programs, including 511 traveler information and Go Santa Cruz County
  - Soquel Avenue-Freedom Boulevard Corridor
  - Coastal resiliency and climate adaptation projects, including north coast creeks and the rail corridor





- ~~**COVID Recovery:** Support state and federal COVID-19 relief and stimulus legislation to provide funding to address adverse funding impacts of the COVID-19 pandemic on transit and other local agencies and to expedite project implementation.~~
  - ~~Temporarily adjust maintenance-of-effort and performance criteria requirements for SB1 Local Streets and Roads Program, local sales tax measure funds, and fare box recovery requirements for transit, given impacts on local revenues from COVID-19.~~
- **Ensure Fair Distribution of Funding:** Ensure state and federal funds are made available for projects in Santa Cruz County and are not disproportionately distributed to large regions. Ensure competitive programs make funding reasonably available for multimodal projects in Santa Cruz County and address local and regional priorities.
  - **Local Role:** Ensure a strong role for regional and local agencies in planning and determining transportation investment priorities. Support legislation that respects local authority, protecting or expanding local decision-making in programming expenditures of transportation funds, rather than the state making top-down funding decisions that are not community-based.\* Project and increase direct funding to regions through both federal and state programs, and reinforce and build upon the structure of SB45 that provides regions a strong voice in the programming of state funds.
  - **State Transportation Improvement Program (STIP):** Ensure equitable programming and allocation of STIP funds.
  - **"Disadvantaged Communities" Definition:** Ensure that legislation and programs aimed at incorporating equity considerations and/or benefiting disadvantaged communities use a definition of disadvantaged communities (DACs) or priority populations that applies to the low-income and other transportation disadvantaged population groups in Santa Cruz County and does not preclude RTC and local agencies from funding opportunities that support sustainable communities, transportation choices, and investments in alternative modes of transportation. Ensure that the definition does not rely exclusively on communities defined as DACs by CalEnviroScreen, which disproportionately excludes many low-income communities and residents in Santa Cruz County.
- **Increase Funding for All Transportation Modes:** Support measures that increase funding for and support the implementation of transportation projects in Santa Cruz County, including funds for ongoing system maintenance, congestion reduction, safety, complete streets, bike, pedestrian, transit projects, transit-oriented development, and specialized transportation for seniors and people with disabilities in Santa Cruz County.
  - **New Funding Systems:** Phase in new funding systems which are tied to system use rather than fuel consumption or fuel prices. This approach could include new user fees, such as a Road User Charge or Vehicle Miles Traveled (VMT) fee and other alternative funding mechanisms.
  - **Expand Local Revenue-Raising Opportunities:** Support innovative financing options to address the significant backlog of transportation needs. Provide locals with the ability to supplement and leverage state funding for investments that protect state and local transportation assets.
    - **Vote Threshold:** Support efforts to amend the California constitution to lower the voter threshold for local transportation and affordable housing funding measures, such as local sales tax or vehicle registration fee ballot measures, from the 2/3 supermajority to a simple majority or 55% vote.



- Expand the authority of the RTC and local entities to increase taxes and fees for transportation projects, such as new gas taxes, vehicle registration fees, property-tax financing and transfers, gross receipts taxes, payroll taxes, and infrastructure financing districts.
- Support clarifying amendment to Government Code Section 65089.20 that will give RTPAs equal treatment with Congestion Management Agencies (CMAs) to seek voter approval for a local vehicle registration fee. *(SB83 cleanup)*
- **Active Transportation Program (ATP):** Increase ATP funding and ensure potential reforms to the Active Transportation Program (ATP) do not reduce the proportion available for Santa Cruz County agencies to compete for, including funds to the competitive statewide, small urban, and rural funding pots. Support efforts to simplify the Active Transportation Program (ATP) application and project delivery, build local capacity to deliver transformative projects and provide regions greater flexibility to innovate and strategically invest funds to meet local needs.
- **Cap-and-Trade:**
  - Increase the percentage of Cap-and-Trade revenues allocated to transportation projects and programs that help reduce greenhouse gas emissions in Santa Cruz County.
  - Support increases in Low Carbon Transit Operations Program (LCTOP) appropriations.
  - Support policy changes to the Affordable Housing and Sustainable Communities program (AHSC) that increase funding opportunities for projects in Santa Cruz County.
  - Ensure continued funding for low and zero-emission transit deployment. Ensure regulatory and legislative requirements related to transit electrification provide flexibility, consider cost and available technology, and do not place an undue burden on transit agencies.
  - Support legislation to devote a permanent Cap-and-Trade funding allocation to the Active Transportation Program.
- Support legislation to increase the availability of funding for cities, counties, and regions to support economic development, affordable housing, and implementation of sustainable community strategies, as well as policy tools to reduce single-occupancy vehicle travel in a manner that ensures equitable policy outcomes.
- Support innovative projects such as a new state-supported intercity passenger rail service on the planned Coast Route between the Bay Area and Goleta *(previously called the Coast Daylight)*.
- Support actions that would broaden eligibility in existing and/or new transportation funding streams to enable their use as a subsidy for low-income transportation system users (e.g. discounted fares for public transportation or shared mobility service).
- Support actions to require Caltrans to fund maintenance upgrades to Caltrans-owned facilities.
- **Transportation Development Act (TDA):**
  - Monitor potential modifications to the TDA. Ensure that funding for transit, planning, administrative, and other TDA purposes in Santa Cruz County is not reduced. Oppose efforts that would reduce TDA funds which are essential for RTC administration and planning.
  - Support the development of greater efficiencies within the TDA while streamlining and updating performance metrics and eliminating penalties associated with farebox recovery.
  - Support the development of alternative performance measures that are focused on incentivizing transit agency actions that improve transit service and increase ridership, consistent with state and regional climate and equity goals.
  - Ensure discount fares aimed at boosting ridership and improving social equity do not result in reduced state funding. Pursue relief from TDA audits and performance criteria during the current economic downturn.



## **Project Implementation**

- **Streamlining, Expediting, and Facilitating Project Delivery:** Support administrative and/or legislative efforts which may be required to implement or expedite the delivery of priority projects. This includes actions that streamline funding applications, simplify program administration, and efforts that modernize and accelerate project delivery, including additional allowances for funds to be used for pre-construction activities.
  - Support a permanent cap for Caltrans indirect cost rates on locally-funded state highway projects.
  - Support greater efficiencies for transportation project implementation to streamline both project development and delivery for priority transportation and transit projects, and eliminate any unnecessary, overly burdensome and/or duplicative mandates. Includes California Environmental Quality Act (CEQA) reform, simplifying stormwater runoff regulations, CA Fish and Wildlife, CA Water Quality Control Board, and California Public Utilities Commission permit and approval processes. This will aid in implementation of local Measure D projects, the SR1-Scotts Creek Bridge replacement, and implementation of the Regional Conservation Investment Strategy (RCIS).
  - Support legislative and administrative actions required to secure permits that may be required to implement priority projects.
  - Opportunities to expedite transportation project delivery may include increasing contracting and financing options, increased flexibility in the early allocation of programmed funds and initiating reimbursable work with local funds in advance of CTC allocation of all projects, efforts that expedite the Caltrans design review process, opportunities to expedite locally-sponsored projects on the state highway system, and increase in encroachment permit limits.
  - Support environmental streamlining measures for bike, pedestrian, transit, and infrastructure preservation within existing public rights of way, and other measures that expedite project delivery. Support efforts that provide for streamlined project delivery for transit projects that fulfill the goals of AB32 and SB375, as well as other state and federal air quality mandates and mobility performance measures.
  - Support the delegation of fund allocation responsibilities to Caltrans.
  - Allow advance payment of programmed funds to expedite project delivery and resolve cash flow challenges faced, especially by small agencies.
- **Advanced Mitigation:** Support the implementation of “advanced mitigation” environmental programs, including approving up-front environmental mitigation funding for projects, such as the Highway 17 Wildlife Crossing. Support the creation of a low-interest loan program to support advance mitigation and habitat conservation plans that mitigate the impacts of transportation infrastructure and make project implementation more efficient.
- **Safety:** Support legislation and programs that improve transportation safety for all users and support programs aimed at eliminating all traffic-related serious injuries and fatalities.
  - Speed limits: Support implementation of AB43 (2021), which allows local jurisdictions and Caltrans to reduce motor vehicle speed limits on local roads and state highways and work with Caltrans to reduce speed limits on state highways that function as main streets, especially in business and school zones to address findings, and support implementation of other recommendations of the AB2363 Zero Traffic Fatalities Task Force report.
  - Traffic Laws & Enforcement: Support proposals to increase enforcement and modification of traffic laws to better protect pedestrians and bicyclists, including proposals to authorize



automated speed enforcement on a pilot program basis, and modifications to vehicle code to allow vehicles to cross a double-yellow line when passing cyclists.

- Education: Support commercial driver, bus driver, motorist, bicyclist, and Safe Routes to Schools training and education programs which reduce collisions.
- **Active Transportation Facilities:** Support modifications to rules, regulations, and government codes that will make roadways more bicycle and pedestrian-friendly, including: laws associated with sharing the road; ensuring complete streets components (e.g. accessible pedestrian signals) are considered during the design of all projects; increasing funds for pedestrian, bicycle, and new micro-mobility devices and services (e.g. bike share), and safety countermeasures (e.g. buffered or protected bike lanes, flashers and lighting at crosswalks); increasing funds to provide resources necessary for First/Last Mile improvements; Safe Routes to School Programs; making it legal for people on bikes to treat stop signs as yields (bike safety stop); providing additional direction and consistency for accessible pedestrian design; and allowing agencies to integrate complete streets into storm and fire damage repairs.
- **Land Use/Housing/Transportation Coordination:**
  - Support efforts to reduce vehicle miles traveled and promote job-housing balance, which also protects locally-driven land use planning that implements broad policy goals set by the state to provide affordable housing in transit-rich areas. Encourage new developments to incentivize active transportation and transit use. Ensure SB743 (Steinberg, 2013) implementation supports infill development, promotion of public health through active transportation, and expedites transportation project delivery. Support innovative measures to mitigate growth in vehicle miles traveled, such as regional mitigation banks.
  - Support state goals to reduce homelessness. Monitor implementation of Governor Newsom's Executive Order N-23-20, which requires Caltrans to develop a model lease template to allow counties and cities to use Caltrans property adjacent to highways or state roads for short-term emergency homelessness shelter; and requests that special districts, cities, counties, and transit agencies, and others to examine their ability to provide shelter and house homeless individuals.
  - Support efforts to streamline SB375 implementation and extend the timeframe between required Regional Transportation Plan updates.
- **Federal Transportation Act Implementation:** Support legislation and administrative strategies to implement the federal authorization bill (Infrastructure Investment and Jobs Act (IIJA)) in a way that ensures the best possible outcome for transportation projects in Santa Cruz County.
- **SHOPP Program:**
  - Support Caltrans' efforts to provide more outreach regarding State Highway Operation and Protection Program (SHOPP) projects and to include measurable targets for improving the state highway system. Support the clarification of existing laws to permit the expenditure of SHOPP funds for operational projects on state highways.
  - Support the inclusion of complete streets within SHOPP projects, as appropriate, but especially in areas where state highways serve as main streets, such as Highway 1/Mission St, Highway 9 through San Lorenzo Valley, and Highway 152 in Santa Cruz County.
  - Support changes to the SHOPP program to address the high cost and project development challenges of implementing climate resiliency projects on state highways.



- **Commuter Programs:** Support policies and legislation aimed at reducing trips and vehicle miles traveled and associated traffic congestion, including, but not limited to, employer-based programs to help reduce the share of commuting by single-occupant vehicles, expanding broadband and incentives to facilitate telecommuting, expanding park and ride lots, and a regional commuter benefits ordinance. Support dedicated funding for Transportation Demand Management (TDM) programs and strategies.
- **Shared Mobility Systems:** Support policies that enable technological innovations to improve mobility while protecting the public's interest. Monitor legislation and regulations related to shared mobility, such as transportation network companies (TNCs) and real-time carpooling, to ensure that mobility benefits are maximized, especially for underserved populations, and access to critical data for transportation and land-use planning and operational purposes is assured. Support measures that allow for local control and regulation of shared mobility systems such as scooters, bikes, and other fleets.
- **Connected and Autonomous Vehicles:** Monitor and engage in legislation and regulations to facilitate the deployment of connected vehicles and autonomous vehicles. Oppose federal efforts to preempt local authority over the use of autonomous vehicles in their communities. In partnership with California cities and counties, transit agencies, the business community, and other transportation organizations, engage in regulatory and legislative efforts related to connected and autonomous vehicles with the goal of accelerating their safety, mobility, environmental, equity, and economic benefits. Similar to the "shared mobility" strategy, support access to critical data for transportation and land use planning and operational purposes.
- **Electrification and Zero-Emission Vehicle (ZEV) Fleets:** Support funding and coordination, including policy, planning, and infrastructure, for low and zero-emission vehicles.
  - Support additional dedicated funding to help transit operators and colleges convert their bus and van fleets to zero-emission. Support reduced utility pricing for public transit ZEVs.
  - Support proposals that provide funding for regions and localities to build infrastructure (including chargers, trenching, and upgrading electrical capacity) and provide incentives for zero-emission vehicle and other modal device purchases, considering the cost of increased usage of electricity, electric power storage capacity, proper safety protocols and access for lower-income households.
- **Resilience:** Monitor and support legislation that invests in projects and programs to improve resilience to the impacts of climate change on transportation infrastructure and the utilization of public transit in emergencies that address scenarios such as severe storm events, public safety power shut-off events, wildfires, and sea level rise.
- **Encroachments:** Support legislation that clarifies the authority under which rail property owners may remove, or by notice, may require the removal of encroachments.
- **Unfunded Mandates:** Oppose unfunded mandates and seek funding for mandates imposed in recent years. Require new regulatory proposals to include an estimate of the cost and impact such proposals will have in the delivery of California's transportation program.
- **Modernization of the Brown Act:** Enact legislation to expand public and board participation in public meetings. To maximize participation and access by board and committee members, modify



the Brown Act to enhance participation and eliminate the requirement to notice all remote board or committee member locations.

- Support legislative clean-up of AB 361 (Rivas) and AB2449 to provide greater flexibility to local and regional agencies, and RTC advisory committees, to hold meetings virtually; do not require agencies renew findings every 30 days.
- Monitor and support legislation to provide long-term flexibility for regional and multijurisdictional agencies to conduct their business remotely outside of emergency conditions as a means of increasing public participation and board and committee member participation while also reducing the time and expenses associated with travel, vehicle miles traveled and the greenhouse gas and other tailpipe emissions from driving.







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## **Santa Cruz County Regional Transportation Commission 2023 FEDERAL Legislative Program**

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*Proposed additions and deletions from 2022 shown in underline/~~strikeout~~.*

- **Priority Projects:** Seek and preserve funding for priority transportation projects and programs in Santa Cruz County, including:
  - Projects on Highway 1
  - Santa Cruz Branch Rail Line preservation
  - Transit operations and capital projects
  - Bicycle and pedestrian facilities, including the Monterey Bay Sanctuary Scenic Trail Network (MBSST/Rail Trail)
  - Local street and roadway preservation and storm damage repairs
  - 511 Traveler Information
  - Highway 1 Scotts Creek Bridge Replacement
  - Highway 9/SLV Corridor Complete Streets
- **Transportation Act Implementation**
  - Support the implementation of the Infrastructure Investment and Jobs Act (IIJA) in a manner that maximizes funding for the implementation of priority projects in Santa Cruz County, including formula and discretionary funding and policies.
- **Transportation Funding**
  - **Raise New Revenues & Grow Existing Programs:** Support raising and indexing federal gas taxes and developing new funding mechanisms to ensure the financial integrity and solvency of the Highway Trust Fund (HTF) and Mass Transportation Account. Increase federal transportation investment in all modes to bring transportation infrastructure up to a good state of repair and meet growing transportation needs in Santa Cruz County.
  - **Increase funding:** Support legislative actions that increase funding for priority projects in Santa Cruz County, including:
    - **Active Transportation:** Bicycle and pedestrian safety and mobility projects, such as the Transportation Alternatives Program (TAP).
    - **Transit:** Small Transit Intensive Cities Program (STIC), funding for the acquisition of transit capital (Bus and Bus Facilities, and Low and No Emissions Bus Programs), Capital Investment Grants, Americans with Disabilities Act (ADA) implementation, state of good repair, and other transit programs. Support tax credits for the purchase of electric buses.
    - **Local Roads and Highways:** Support robust funding for core programs such as the Surface Transportation Block Grant Program (STBG), Highway Safety Improvement Program (HSIP), and bridge programs needed for local entities to address the backlog of bridge and roadway projects.
    - **Self-Help Counties:** Support programs that reward areas that have approved self-help revenue measures like Measure D and the METRO dedicated sales taxes.
    - **Planning:** Federal planning funds to address increased planning, performance measures, monitoring, and model requirements.
    - **Transit Oriented Development (TOD):** Grants or pilot programs for comprehensive planning and infill development to connect housing, jobs, and mixed-use development with transportation options.
- **Support COVID Relief and Economic Recovery:** Support federal funding to support economic recovery, local and state responses to the public health crisis, and backfill any transportation revenue losses due to COVID-19.



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- **Climate and social spending bills:** If a funding package, such as the “Build Back Better” bill, advances through the legislative process, support the inclusion of funding for sustainable transportation and system preservation projects in Santa Cruz County and addresses principles for the reauthorization of the transportation act. Any infrastructure package should ensure projects in Santa Cruz County are not disadvantaged in accessing those funds. The initiative should also include a significant investment of **new** federal funds for transportation, stabilize the Highway Trust Fund, and not be offset by reductions to other federal programs serving Santa Cruz County residents.
- **Air Quality, Greenhouse Gas Emissions, and Climate Resiliency:** Strengthen federal partnerships to improve air quality, reduce greenhouse gas (GHG) emissions, and make our communities and transportation networks resilient to a changing climate.
  - **Funding:** Support the development of new resources to support climate adaptation and reduce greenhouse gas emissions from transportation (similar to those included in the Senate FAST Act reauthorization bill (S. 2302)), expand eligibility for Congestion Mitigation and Air Quality (CMAQ) and other funding programs to Santa Cruz County.
  - **Electrification:** Support federal funding, tax credits, and coordination of vehicle electrification purchase (including buses), planning and infrastructure.
  - **Mitigation:** Defend against rollbacks of California’s air quality and climate change laws and regulations, such as fuel efficiency standards and cap-and-trade programs.
  - **Resiliency:** Support resiliency and climate change preparedness and efforts that could support local efforts to improve resiliency, respond to new or worsening storms, wildfires, and other environmental hazards and meet regional climate goals. Support efforts to increase planning funds that help regional governments address climate change and make regional transportation infrastructure more resilient.
  - **Disaster Recovery:** Ensure the federal government provides sufficient emergency relief appropriations and federal agency resources to support rebuilding and recovery efforts for wildfire, storm, and other natural disasters. Support legislative efforts to extend the timeframe for road projects qualifying for federal disaster reimbursement to move to the construction phase from two years to six years.
- **Federal Authorization Implementation:** Support legislation and administrative strategies to implement federal transportation authorization bills in a way that ensures the best possible outcome for transportation projects in Santa Cruz County. Ensure that the U.S. Department of Transportation (DOT) implementation of MAP-21, FAST Act, IIJA, and any new transportation act rules and regulations do not negatively impact local projects and programs.
  - **Discretionary Grants:** Advocate for discretionary transportation grant awards for priority transportation projects in Santa Cruz County, including the Better Utilizing Investments to Leverage Development (BUILD, formerly TIGER) and Capital Investment Grant program.
  - **Innovative Financing:** Ensure proposals for public-private partnerships and innovative financing are favorable for project implementation in Santa Cruz County. Support and expand the Transportation Infrastructure Finance and Innovation Act (TIFIA) program and make the Railroad Rehabilitation and Improvement Financing (RRIF) program more accessible to smaller public agencies.
  - **Department of Transportation Budget and Annual Appropriations:** Ensure that Congress appropriates funding consistent with amounts authorized in federal transportation authorizations (e.g. IIJA), even if Continuing Resolutions (CR) are needed to keep transportation programs running each fiscal year.





- **Oppose rescissions or arbitrary cuts** that could reduce funding for transportation projects in Santa Cruz County.
- **Support transparent congressionally-directed spending** (earmarks) to allow for Congressional support of priority projects in Santa Cruz County
- **Oppose unfunded mandates** and support legislation that provides funding for past mandates.
- **Performance Measures:** Support the development of performance measures that are consistent with RTC-approved goals, policies, and targets and which recognize data limitations of many regions. Support open collaboration, data sharing, and funding to successfully implement state and federal performance-based planning and management requirements.
- **Protect and Expand Transportation Fringe Benefits:** Reinstate the commuter benefits, which were eliminated under the 2017 tax reform bill. In addition, advocate for expanding pre-tax transportation fringe benefit eligibility to include shared mobility options, such as bike-share and shared ride carpool services.
- **Shared Mobility:** Advocate for federal legislative and regulatory updates that support shared mobility options such as bike-share, shared rides, carpooling, and shared scooters. Support expanding pre-tax transportation fringe benefit eligibility to include shared mobility options. This change would support the now-permanent Bay Area Commuter Benefits program by expanding federal tax incentives to utilize alternatives to single occupancy travel to commute to work.
- **Autonomous Vehicles:** Oppose federal efforts to preempt local authority to regulate the use of autonomous vehicles in their communities.
- **Streamline Project Delivery:** Support regulations to streamline and integrate federal project delivery requirements for project planning, development, review, permitting, and environmental processes to reduce project costs and delays.

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