



Board Report

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File #: 2016-0118, File Type: Federal Legislation / State Legislation (Position)

Agenda Number: 53.

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**EXECUTIVE MANAGEMENT COMMITTEE  
FEBRUARY 18, 2016**

**SUBJECT: STATE LEGISLATION**

**ACTION: ADOPT STAFF RECOMMENDED POSITIONS**

**RECOMMENDATION**

ADOPT staff recommended positions:

**A. AB 1591 (Frazier) - Transportation Funding SUPPORT**

**B. AB 620 (Hernandez) - Metro ExpressLanes NEUTRAL**

**ATTACHMENTS**

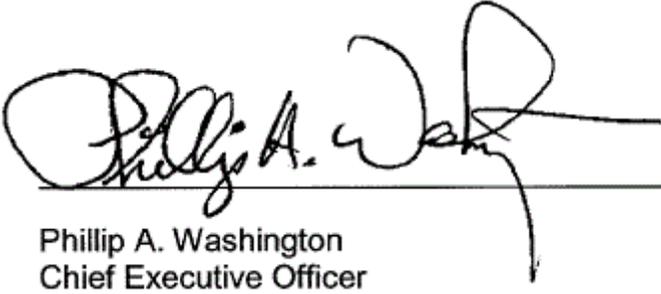
Attachment A - AB 1591 (Frazier) Legislative Analysis

Attachment B - AB 620 (Hernandez) Legislative Analysis

Prepared by: Michael Turner, Executive Director, Government Relations, State Affairs, (213) 922-2122

Desarae Jones, Administrator, Government Relations  
(213) 922-2230

Reviewed by: Pauletta Tonilas, Chief Communications Officer



Phillip A. Washington  
Chief Executive Officer

## ATTACHMENT A

**BILL:** AB 1591

**AUTHOR:** ASSEMBLY MEMBER JIM FRAZIER  
(D- OAKLEY)

**SUBJECT:** TRANSPORTATION FUNDING

**STATUS:** REFERRED TO ASSEMBLY REVENUE AND TAXATION  
COMMITTEE & TRANSPORTATION COMMITTEE

**ACTION:** SUPPORT

### RECOMMENDATION

Staff recommends that the Board of Directors adopt a SUPPORT position on AB 1591 (Frazier).

### ISSUE

This bill would increase several taxes and fees to fund various transportation programs. The bill could raise approximately \$8 billion per year.

Specifically, AB 1591 would:

- Increase the excise tax on gasoline by 22.5 cents per gallon and index the excise tax to increase based on the Consumer Price Index every three years. These funds, approximately \$3.3 billion per year would be split evenly between the state for highway maintenance purposes and local agencies for street and road repair purposes.
- Increase the diesel excise tax by 30 cents per gallon. This would generate approximately \$840 million per year and be allocated to trade corridors.
- Increase the vehicle registration fee by \$38. This would generate approximately \$1.25 billion and allocate these funds to road maintenance and rehabilitation projects.
- Impose a \$165 fee on electric vehicles. This would generate approximately \$16 million for road maintenance and rehabilitation.
- Require repayment of outstanding transportation loans.
- Increase the percentage of cap and trade funds allocated to the Transit and Intercity Rail Transit Capital Program from 10% to 20%.
- Allocate 20% of cap and trade funds, approximately \$400 million annually to trade corridors.
- Restore truck weight fees to the State Highway Account. This would provide approximately \$1 billion annually for state highway maintenance purposes.

## **DISCUSSION**

Last year Governor Brown called the Legislature into Special Session to address transportation funding. Since that time, legislative leadership in both houses have discussed various ways to address this issue and have offered proposals on how to move forward. Senator Jim Beall, Chairman of the Senate Transportation and Housing Committee introduced SB 16 which could provide a significant source of funds for the maintenance needs of our county and cities partners. Assembly Transportation Committee Chairman Jim Frazier has introduced his proposal in AB 1591.

AB 1591 is a significant effort to address the maintenance needs of our transportation system and staff believes it is important to work with Chairman Frazier to address this challenge. Staff further believes that this bill may serve as a vehicle for a comprehensive transportation funding plan and in that context we believe it is appropriate to address broader needs that exist in the system Staff recommends that the Board support in principle the proposals in AB 1591 and work to support the development of a comprehensive state funding program.

California is also in the process of pursuing a Road User Charge pilot program through the California Transportation Commission. This effort is scheduled to be implemented on a demonstration basis in 2016. This is an important effort for the state and could create a long-term and sustainable funding system. In the meantime; however, it is appropriate to consider an increase in the excise tax as it is still the basic transportation funding system in our state.

Metro Government Relations will continue to work with the Chairman to support the proposal and to ensure its passage to support funding for LA County transportation initiatives.

## **DETERMINATION OF SAFETY IMPACT**

Staff has determined that there is no direct impact to safety as a result of this proposal. If we are able to include a funding component for transit maintenance and system needs in this proposal it can potentially improve safety on our system.

## **FINANCIAL IMPACT**

Staff has determined that with successful passage of this measure, funding for a variety of transportation improvements in the county could become available.

## **ALTERNATIVES CONSIDERED**

Staff considered a neutral position however this would preclude us from working with the author to address the opportunities presented by the bill.

## **NEXT STEPS**

Should the Board adopt staff's recommendation of SUPPORT, staff will work with the author to ensure the inclusion of transit funding as a priority, and support the measure's passage.

## ATTACHMENT B

**BILL:** AB 620

**AUTHOR:** ASSEMBLY MEMBER ROGER HERNANDEZ  
(D-LOS ANGELES)

**SUBJECT:** METRO EXPRESSLANES

**STATUS:** SENATE TRANSPORTATION AND HOUSING COMMITTEE

**ACTION:** NEUTRAL

### **RECOMMENDATION**

Staff recommends that the Board of Directors adopt a NEUTRAL position on AB 620 (Hernandez) as amended.

### **ISSUE**

AB 620 (Hernandez) addresses outreach efforts for the Metro ExpressLanes Low Income Assistance Program. In April 2015, the Metro Board of Directors adopted an OPPOSE position on AB 620 as introduced. The author has amended AB 620 which now would:

- Require LA Metro and Caltrans to continue to increase enrollment and participation in the Metro's current ExpressLanes Low Income Assistance Plan.
- Require LA Metro and Caltrans to report back to the Legislature on its efforts to improve the program by 2018.

### **DISCUSSION**

As amended, AB 620 would require LA Metro and Caltrans to increase outreach efforts and continue to increase enrollment in the Low Income Assistance Program and report back to the State Legislature in 2018 on progress and performance of those efforts. Current law requires Metro to maintain a program that addresses equity issues associated with the ExpressLanes Program, and, that Metro work with affected communities and provides mitigation measures that include reduced toll charges and toll credits to commuters. Metro established the Low Income Assistance Program to address these issues.

Staff worked with Assembly Member Hernandez to address the language of the bill from the date of its introduction and shared information regarding the structure of Metro's existing program and discussed potential negative impacts from the bill. Overall, the goal of Metro's ExpressLanes program is to improve mobility for all commuters in the

two corridors in which the project is located. In the past year, staff has increased outreach and access to Metro ExpressLanes Low Income Assistance Program. Participation has increased by 32 percent in the last year, with over 8,000 participants enrolled in the program.

Staff was successful in communicating the Board adopted OPPOSE position on the bill to the author and State Legislature. Metro staff offered amendments to the bill that would effectively address the author's concerns with Metro's performance in implementing the Low Income Assistance Program that would not jeopardize or negatively impact the administration of that program and the ExpressLanes program overall. The author accepted Metro's proposed amendments and has since amended AB 620 to delete previous language and replace it with language that discusses efforts to increase outreach, and includes the one time reporting requirement in 2018.

### **DETERMINATION OF SAFETY IMPACT**

Staff has reviewed the legislation to identify an impact to safety at Metro and have found that the measure has no negative impacts on safety.

### **FINANCIAL IMPACT**

Staff has reviewed the legislation to identify fiscal impacts and has found that additional data is needed to quantify the impact of the legislation. Metro and Caltrans would experience additional costs to improve outreach for the program and prepare the required report.

### **ALTERNATIVES CONSIDERED**

Staff has considered continuing to oppose the legislation due to previous Board direction. However, as amended, the measure does not significantly change the way the Low Income Assistance Program is currently administered.

### **NEXT STEPS**

Should the Board decide to adopt a NEUTRAL position on this bill, staff will monitor the bill and work with the author to ensure that Metro's priorities are reflected in any future amendments and continue to keep the Board informed as this issue is addressed throughout the legislative session.