



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Agenda Item 4

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*Memorandum*

TO: Legislation Committee

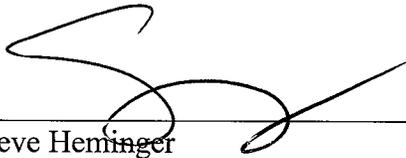
DATE: November 5, 2010

FR: Executive Director

WI: 1131

RE: Draft 2011 Legislative Program

The attached draft legislative program for the 2011 state and federal legislative sessions is attached for your review and comment. The program includes proposals that MTC will seek to sponsor, and includes a number of items that MTC will actively engage upon, as bills are introduced. As part of our consultation and advisory process, MTC's Policy Advisory Council will also have an opportunity to review the draft program this month. A final proposal will come before the Legislation Committee in December, before going to the full Commission for approval.

  
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Steve Heminger

Attachment

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## **2011 DRAFT LEGISLATIVE PROGRAM**

<b>S T A T E</b>		
<b>Issue</b>	<b>Goal</b>	<b>Strategy</b>
1. FY 2011-12 State Budget	Protect transportation funding and ensure funds are fully appropriated in the budget	In the wake of Proposition 22's passage, state transportation funding is now more strongly protected; however, Proposition 26's passage also places last year's gas tax swap (AB 8x 6) in jeopardy unless the Legislature reaffirms it by a two-thirds vote. Accordingly, MTC will work closely with other key transportation stakeholders to assure that the gas tax swap is reaffirmed, as it provides a key source of funding for local streets and roads, the State Transportation Program, and the State Highway Operation and Protection Program. MTC will also work with the California Transit Association and Bay Area transit operators to maximize funding for State Transit Assistance in the FY 2011-12 State Budget.
2. Senate Bill 375 Implementation	A. Encourage commute alternatives to the private automobile	Building on local successes of the cities of San Francisco, Berkeley, and Richmond as well as the San Francisco International Airport, MTC will seek to sponsor authorization of a regional commute benefit policy that would cover all Bay Area employers with 20 or more employees. The policy would provide employers with flexibility as well as the opportunity for financial reward, through payroll tax savings, allowing them to choose one of at least three key options: (1) offering employees the ability to pay for their transit, bicycling and vanpooling expenses with pre-tax dollars; (2) employer-paid transit or vanpool subsidy; or (3) employer supported or provided transportation, such as a shuttle or vanpool program. MTC will work closely with our existing 511 business partners, business associations and local transportation agencies to design the policy. Given the potential to cut commuting costs for Bay Area workers by over 30 percent and for employers to save on payroll taxes, a regional commute-benefit ordinance can help us build a partnership with the business community in our effort to reduce GHG emissions from the transportation sector.

## MTC's 2011 Draft Legislative Program

S T A T E		
Issue	Goal	Strategy
2. Senate Bill 375 Implementation (continued)	B. Increase regional planning funds	Work with our regional agency partners across California to secure a dedicated annual fund source to support the additional planning work required to develop the SCS. A minimum share of the funds would be dedicated to MTC and the Association of Bay Area Governments, with funding above that amount available for local planning efforts to support the SCS.
	C. Enhance incentives for transit-oriented development	Support efforts to encourage transit-oriented development, such as streamlining the approval process to establish infrastructure financing districts, similar to AB 1199 (Ammiano) enacted in 2010.
3. Public Transit Capital Funding	Restore mode-neutrality to the state transportation improvement program (STIP)	As a result of the gas tax swap, the State Transportation Improvement Program (STIP), the state's four-year program for transit and highway capacity-increasing projects, is now primarily funded by the State Highway Account (SHA), which must be annually appropriated through the state budget process. In the FY 2010-11 State Budget, language was inserted that restricts SHA funds to highway projects even though the funds may legally be spent on fixed guideways and transit facilities. Given that the gas tax swap also significantly reduced funding for the Public Transportation Account, this rigidity could not only delay transit projects in the current fiscal year, but could also unnecessarily bias the STIP project selection process in favor of roadway projects, and thereby undermine the local and regional transportation planning process.
4. High-Speed Rail Connectivity Funds	Ensure that Bay Area rail operators receive their share of these funds in the manner provided for in Proposition 1A (2008)	In response to the Governor's restriction of high-speed rail connectivity funds to positive train control projects in the current budget, MTC will work with our local operators and the California Transit Association to ensure that each operator not only receives its share under Proposition 1A, but also retains the flexibility in terms of project eligibility as approved by the voters. Bay Area projects at risk of losing funding this year because of this provision include Bay Area Rapid Transit (BART) replacement of 200 cars (\$30 million) and San Francisco Municipal Transportation Agency's Central Subway extension (\$27 million).

## MTC's 2011 Draft Legislative Program

5. Protect Toll Bridge revenue	Reduce toll evasion by speeding up timeframe for placing license plates on new vehicles	In partnership with toll operators statewide, MTC will again seek legislation to significantly speed up the process for placing license plates on new vehicles and strengthen the penalties associated with driving without a license plate. BATA lost about \$19 million in FY 2009-10 due to the inability to collect tolls and violations from these unidentifiable vehicles.
6. Carpool Lanes	Protect time-savings incentive to carpool	Oppose efforts to expand access to carpool lanes for single-occupant vehicles as an incentive for the purchase of fuel efficient vehicles beyond that which is provided for in current law or for other non-transportation purposes.

## MTC's 2010 Draft Legislative Program

F E D E R A L		
Issue	Goal	Strategy
1. Authorization of a Multi-Year Federal Surface Transportation Act	Establish a well funded and simplified national transportation policy that focuses on fundamental federal interests	Continue to advocate in support of a bold new direction at the federal level, in partnership with our local transportation agencies, as well as our national partner organizations including the Association of Metropolitan Planning Organizations, the American Public Transportation Association and Transportation For America. We will advocate for a simplified federal program with clearer national goals focused on a state of good repair, on metropolitan mobility, on freight/goods movement and charts a new direction with respect to sustainability and livability. We will seek much higher levels of funding across the board.
2. Climate Change	Reduce greenhouse gas emissions from the transportation sector	Continue to urge Congress to take action to reduce GHG emissions in a manner that assists the region in achieving our GHG reduction goals, as well as our mobility goals. Advocate that transportation planning and infrastructure, including, but not limited to public transit, bicycle and pedestrian improvements, receive its fair share of revenue from a cap-and-trade system, while also emphasizing that such revenue must be supplemental to, and not a substitute for, a robust federal surface transportation program.
3. Pre-tax Transportation Fringe Benefits	Ensure mode-neutrality in pre-tax transportation benefits	Seek parity between the pre-tax transportation fringe benefit allowed for public transit and vanpooling and that which is allowed for parking. Furthermore, condition the pre-tax allowance for parking expenses on an employer's offering of a cash-out option to all employees who are offered the parking subsidy.
4. FY 2011 -12 Appropriations	A. Maximize the region's share of New & Small Starts funds	Continue our advocacy efforts to implement the Regional Transit Expansion Program, Resolution 3434, by advocating for federal New Starts funds for San Francisco Municipal Transportation Agency (SFMTA) Third Street Light Rail/Central Subway project and Santa Clara Valley Transportation Authority's Silicon Valley Rapid Transit Corridor Project and Small Starts funding for bus rapid transit projects sponsored by Alameda Contra Costa Transit District (International Boulevard) and SFMTA (VanNess Avenue).
	B. High Speed Rail	Seek additional funding for High Speed Rail in FY 2011-12 to support the California High Speed Rail Authority's financing plan, including early investment in Bay Area projects identified in the San Francisco/Silicon Valley Corridor Investment Strategy.