



## DRAFT 2007 LEGISLATIVE PROGRAM

### STATE

Subject	Objective	Comments
1. Transit coordination and efficiency	A. Bay region's passenger rail consolidation.	MTC is undertaking a Regional Rail Study that must be adopted and submitted to the Legislature by October 2007. Four commuter rail operators (ACE, BART, Caltrain, and Capitol Corridor) serving ten counties with overlapping jurisdictions now exist. To address the multitude of challenges related to coordinating these services and potential future services, MTC will begin a legislative effort related to coordination and agency consolidation in anticipation of the findings of the Regional Rail Study.
2. I-bond Implementation	A. Maximize region's share of funding from the Trade Corridors Program (Prop.1B)	MTC will closely monitor development of the statutory guidelines for this program and the list of projects to be funded to ensure compatibility with regional needs and priorities, and work to support a package that helps address the Bay Area's priority goods movement needs.
	B. Ensure a risk-based approach to the Transit Security Program (Prop.1B)	MTC will promote a policy that distributes funds on the basis of risk, threat and consequence, as well as providing a minimum level of funding to all operators to meet federal transit security requirements. In addition, in recognition that no transit system can be 100 percent secure, MTC will advocate that funds should be eligible for emergency response needs as well as preventive efforts.
	C. State-Local Partnership Program	MTC will work to ensure that the eligible local match fund sources for this program include toll revenue, as well as sales tax revenue, and that those who can "overmatch" are rewarded.
	D. Public-Private Partnerships	MTC will support efforts to allow the state to broaden its use of design-build contracting through an expanded pilot program and to remove other barriers to the expansion of public-private partnerships for the construction of roadways, high-occupancy vehicle and high-occupancy toll lanes, transit improvements and other programs and projects as appropriate.

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2. I-bond Implementation (cont'd)	E. Advance the region's interests with respect to the Regional Planning, Housing and Infill Incentive Account (Prop. 1C)	In coordination with the Joint Policy Committee (JPC), MTC will work to ensure that legislation adopted to guide distribution of this \$850 million fund complements and rewards the region's ongoing smart growth efforts, such as our Transportation for Livable Communities and Housing Incentive Program, our Transit Oriented Development Policy, and the <i>Focusing Our Vision</i> effort spearheaded by the Association of Bay Area Governments (ABAG). MTC will also recommend that funding be distributed at the regional level — in our case by the JPC — on the basis of priorities established in regional plans.
3. Transit Funding Administration	A. Broaden Eligibility for State Transit Assistance	The Transportation 2030 Plan includes a commitment to provide \$216 million for a Lifeline Transportation Program that is difficult to implement using our existing fund sources. For example, many ideas emerging from our Community Based Transportation Plans are not eligible for State Transit Assistance (STA) funding, the primary fund source for the Lifeline Program. In conjunction with our partners and our advisory committees, MTC will pursue legislation to better enable implementation of the Lifeline Program.
	B. Improve State Transit Assistance funding predictability	MTC will support legislation to simplify the administration of STA with respect to the timing of the State Controller's official revenue estimate that is used to calculate each operator's annual share. This will improve efficiency as well as increase funding predictability for transit operators statewide.
4. Access to health care via transit	Allow Medicaid funding for lifeline transit service	MTC will support efforts to implement a pilot program to test the benefits of allowing transit access to non-emergency medical services as an allowable expense under the federal Medicaid program (known as Medi-Cal in California). Current state law does not allow this, but a number of states have experienced substantial savings in reduced medical transportation costs by allowing Medicaid to be used for bus passes, including Connecticut, Florida, New York, Pennsylvania, Rhode Island, Washington and Utah.

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5. FasTrak® Enforcement	Modify state law to facilitate better enforcement of FasTrak® violations	In coordination with the Transportation Corridors Agency, MTC will support legislation to facilitate better enforcement of FasTrak® violators. This will include the following: 1) Requirement that out-of-state vehicles comply with California law with regard to tolls. (Under current law, toll enforcement is restricted to vehicles registered in the state) and 2) Changes to the definition of a “repeat offender” as a motorist for whom more than five violations have been observed, rather than one who has been “issued” more than five notices.
Security and Emergency Preparedness	Consolidate the State Office of Emergency Preparedness with the State Office of Homeland Security	The current structure for responding to earthquakes and other natural emergencies is vested with the State Office of Emergency Services, while the State Office of Homeland Security is responsible for preventing and responding to a terrorist attack. Consistent with the nine legislative principles that MTC, ABAG and other local agencies adopted last year, we recommend that the State Office of Emergency Preparedness and the State Office of Homeland Security be consolidated so that responsibility for preparation for, coordinated response to and recovery from all hazards is vested in a single entity in the executive branch.

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### FEDERAL

Goal	Objective	Comments
SAFETEA	Work to influence clean-up legislation and rule-making to maximize funding and flexibility for metropolitan areas	In August 2005, President Bush signed the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (better known as SAFETEA). MTC will monitor and influence clean-up legislation as needed and comment on federal rulemaking as the new bill is implemented by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).
FY 2007-08 U.S. DOT Appropriations	Maximize the flow of New & Small Starts Funds	<p>MTC will continue its advocacy efforts to implement the Regional Transit Expansion Plan, Resolution 3434, by advocating for federal New Starts funds for San Francisco Muni's Third Street Light Rail/Central Subway project, the region's top priority for New Starts funding now that the Santa Clara Valley Transportation Authority has temporarily withdrawn from the New Starts process.</p> <p>In 2006, Congress shifted funding authorized for the new Small Starts program in FY 2007 to the New Starts program on the grounds that FTA had not yet finalized the program's guidelines. With an interim guidance expected to be finalized in early 2008, MTC will work with our transit partners, and in particular, with AC Transit, to ensure that Congressional appropriators honor the legislative intent of SAFETEA and fully fund the Small Starts program in FY 2007-08 at the authorized level of \$200 million.</p>
Transit security and emergency response	Seek a multi-year transit security authorization bill	MTC will continue to support efforts to secure a multi-year transit security authorization bill — for both operating and capital security needs. MTC will promote a policy that distributes funds on the basis of risk, threat and consequence, as well as providing a minimum level of funding to all operators to meet new federal transit security requirements.
Port security	Maximize federal funding for Bay Area port security	In 2006, the DHS provided the Port of Oakland with none of the \$168 million distributed for port security improvements nationwide. Since 2002, the Port of Oakland has received only \$11 million from DHS for security improvements — less than 7 percent of the \$169 million requested. The risk factors assigned to each port for determining how funds are distributed are classified, leaving no ability for those outside of DHS to analyze it. Next year, MTC will support efforts to meet all Bay Area ports' security needs by ensuring that port security grants are truly distributed on the basis of risk, threat and consequence.