



## 2007 LEGISLATIVE PROGRAM

### STATE

Subject	Objective	Comments
1. Infrastructure-Bond Implementation	A. Maximize region's share of funding from the Trade Corridors and Air Quality funds (Proposition 1B)	MTC will closely monitor development of the statutory guidelines for the Trade Corridors program to ensure compatibility with the Bay Area's regional goods movement needs and priorities. Consistent with the statute's primary focus, we will advocate that the program target developing infrastructure improvements related to international trade, including Northern California international, national, and interregional gateway improvements. In addition, MTC will advocate for geographic balance to be a consideration in the statutory guidelines for the \$1 billion fund for air quality improvements related to goods movement.
	B. Ensure a risk-based approach to the Transit Security Program (Proposition 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. Recognizing 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 to make the Bay region more prepared.
	C. Make toll funds eligible for State-Local Partnership Program and develop a formula-based program	MTC will advocate for a program that rewards local agencies for imposing taxes and fees for transportation. In addition to voter-approved sales tax revenue, eligible local match fund sources should include developer fees and voter-approved toll increases and property taxes. Legislation should require that funds be administered on a formula basis — based on prior-year revenue generations — that provides eligible recipients with a predictable level of funding over the program's five-year timeframe.
	D. Enable more 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.

MTC 2007 LEGISLATIVE PROGRAM

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1. Infrastructure-Bond Implementation (cont'd)	<i>E. Expedite bond funding</i>	<i>MTC will work to ensure that the Legislature expedites the flow of bond revenues to projects, particularly in the case of the \$2 billion designated for local streets and roads, where repairs made today will result in substantial long-term savings.</i>
	F. Reward regional smart growth efforts	Proposition 1C (the housing bond) contains \$850 million for a “Regional Planning, Housing and Infill Incentive Account” while Proposition 84 (the park bond) includes \$90 million for planning grants and revolving loan funds for local and regional agencies to reduce automobile use, among other goals. In coordination with the Joint Policy Committee (JPC), MTC will work to ensure that legislation adopted to guide the distribution of these funds 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).
2. <i>Regional Funding</i>	<i>Develop new fund source for local streets and roads</i>	<i>MTC will seek an author for “Pennies for Potholes” legislation that would authorize the Commission to ask Bay Area voters to impose — with a simple majority approval — a 10-cent/gallon local road user fee that would be levied on the purchase of gasoline. As a fee proposal, instead of a tax, eligible expenditures would be required to meet a strict connection to the source of the fee and the benefit conveyed to the fee payer. We propose “Pennies for Potholes” be limited to the maintenance and rehabilitation of local streets and roads, including both pavement and non-pavement needs because it meets the strict test and because a large shortfall remains in pavement repairs even after the recently passed transportation measures.</i>
3. <i>State Transit Assistance Funding</i>	A. Broaden State Transit Assistance (STA) <i>eligibility for Lifeline purposes</i>	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. MTC will pursue legislation to broaden the eligibility of STA funds for Lifeline purposes.

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3. State Transit Assistance Funding (cont'd)	B. Improve STA 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. Transit Coordination and Efficiency	A. Improve coordination among the Bay Area's commuter rail agencies	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, in conjunction with Caltrain, BART and the California High Speed Rail Authority, is undertaking a Regional Rail Study that must be adopted and submitted to the Legislature by October 2007. <i>As the governance-related elements of the draft plan are released next spring, MTC will propose legislation to implement the study's findings related to coordination and improved governance for consideration by the Legislature in 2008.</i>
5. Access to Health Care Via Transit	Implement pilot program to expand Medi-Cal funding eligibility to fixed route transit service	<i>Pursuant to the current federal surface transportation act — Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA) — the federal government is requiring agencies such as MTC to adopt a plan for better coordination between transportation agencies and human services agencies. This Coordinated Public Transit-Human Services Transportation Plan must be the basis for the expenditure of certain federal funds beginning in FY 2008. Consistent with this effort to promote greater coordination, MTC will support efforts to develop a pilot program to test the benefits of allowing transit as an allowable expense under the non-emergency medical transportation category of the federal Medicaid program (known as Medi-Cal in California). Current state regulations do not allow this, but a number of other states allow Medicaid to be used for fixed-route transit, including Colorado, Connecticut, Florida, Michigan, New York, Oregon, Pennsylvania, Rhode Island, Washington and Utah.</i>

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6. FasTrak® Enforcement	Modify state law to facilitate better enforcement of FasTrak® violations	In coordination with the Transportation Corridors Agency in Southern California, 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” from a motorist who has been “issued” more than five notices to one for whom more than five violations have been observed.
7. 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 will support efforts to consolidate the State Office of Emergency Preparedness and the State Office of Homeland Security so that responsibility for preparation for, coordinated response to and recovery from all hazards is vested in a single entity in the executive branch.

## MTC 2007 DRAFT LEGISLATIVE PROGRAM

### FEDERAL

Subject	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 and 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 <i>in FY 2007-08 while</i> 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 <i>to provide funding for their Rapid Bus project</i>, 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.