



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 2

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Legislation Committee
April 13, 2007
Minutes

Bill Dodd, Chair
Napa County and Cities

Scott Haggerty, Vice Chair
Alameda County

Tom Ammiano
City and County of San Francisco

Tom Azumbrado
U.S. Department of Housing
and Urban Development

Tom Bates
Cities of Alameda County

Bob Blanchard
Sonoma County and Cities

Dean J. Cbu
Cities of Santa Clara County

Dave Cortese
Association of Bay Area Governments

Dorene M. Giacopini
U.S. Department of Transportation

Federal D. Glover
Contra Costa County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Steve Kinsey
Marin County and Cities

Sue Lempert
Cities of San Mateo County

Jon Rubin
San Francisco Mayor's Appointee

Bijan Sartipi
State Business, Transportation
and Housing Agency

James P. Spring
Solano County and Cities

Adrienne J. Tissier
San Mateo County

Amy Worth
Cities of Contra Costa County

Ken Yeager
Santa Clara County

Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Operations

Andrew B. Fremier
Deputy Executive Director,
Bay Area Toll Authority

Therese W. McMillan
Deputy Executive Director, Policy

Chair Rubin called the meeting to order at 11:00 a.m. In attendance were committee members Azumbrado, Dodd, Giacopini, Haggerty, Halsted, Lempert, Worth and Yeager.

Minutes

Minutes of the March 9, 2007 meeting were moved by Commissioner Lempert, seconded by Commissioner Yeager, and approved.

Legislative History

Ellen Griffin reviewed the April 4, 2007 report noting that further budget action awaits the May Revise. In response to Commissioner Worth, she said hearings on infrastructure bond implementation are scheduled for next week and offered an update next month if interest warrants.

State and Federal Legislation — Ellen Griffin presented the following action items.

SB 748 (Corbett) expresses the intent of the Legislature to structure the new \$1 billion State Local Partnership Program created by Proposition 1B in such a way as to reward cities, counties and regions in which voters have approved fees, taxes, or tolls dedicated to transportation improvements. Moved by Commissioner Halsted and seconded by Commissioner Worth, the committee referred to Commission a position of "support" on SB 748. Because the bill was scheduled to be heard in policy committees prior to the next Commission meeting, Committee Chair Rubin and Commission Chair Dodd authorized staff, pursuant to the Commission's urgency provision, to communicate the position immediately.

AB 57 (Soto) deletes the January 1, 2008 statutory repeal date for California's Safe Routes to School construction program and makes other related technical changes. Moved by Commissioner Haggerty and seconded by Commissioner Yeager, the committee referred to Commission a position of "support" on AB 57.

AB 218 (Saldaña) and AB 616 (Jones) both seek to improve air quality by improving administration of the Smog Check program. AB 218 (Saldaña) closes a loophole that allows motorists to delay their required smog check without penalty. AB 218 imposes no new fees; it simply says that the penalties that the DMV imposes for late payment of registration fees would continue to accrue until the Smog Check requirement has also been met. AB 616 (Jones) requires vehicles that are 15-years old or older to undergo annual smog check rather than the current biennial requirement. Moved by Commissioner Lempert and seconded by Commissioner Yeager, the committee referred to Commission a position of "support" on both AB 218 and AB 616, and because AB 616 was scheduled to be heard in policy committees soon, authorized staff to communicate the position immediately pursuant to the Commission's urgency provision.

AB 801 (Walters) would prohibit devices that obstruct or impair the reading or recognition of a license plate by an electronic device operated in connection with a toll road. Obstructed license plates and other photo-identification problems hinder toll collection by the Bay Area Toll Authority (BATA). Moved by Commissioner Worth and seconded by Commissioner Lempert, the committee referred to Commission a position of “support” on AB 801, granting staff authorization to communicate the position immediately pursuant to the Commission’s urgency provision because the bill was to be heard in policy committees prior to the next Commission meeting.

SB 445 (Torlakson) would create a Road User Task Force that would be required to hold public hearings around the state and report to the governor and Legislature by January 1, 2009 on alternatives to the existing system of taxing road users through per-gallon fuel taxes. Commissioner Lempert moved and Commissioner Yeager seconded to refer to Commission a position on SB 445 of “support and seek amendments” for the task force to (1) examine raising or indexing the gasoline tax as well as alternate financing mechanisms, and (2) specifically include representation from California’s regional transportation planning agencies such as MTC.

AB 945 (Carter) would require the California Transportation Commission to develop every five years a statewide assessment of the unfunded costs of programmed state transportation projects and projects for which there are federal earmarks, as well as an assessment of the available funding and unmet transportation needs statewide. Moved by Commissioner Worth and seconded by Commissioner Lempert, the committee referred to Commission a position of “support” on AB 945 also granting staff authorization to communicate the position immediately pursuant to the Commission’s urgency provision.

AB 842 (Jones), a bill that sets out mechanisms and criteria for Proposition 1C and Proposition 84 bond funds intended to provide infrastructure incentives for infill housing development, would require the CTC to revise its guidelines to require regional transportation plans to provide for a 10 percent reduction in the “growth increment” of vehicle miles traveled (VMT). The committee determined that VMT reduction is a laudable but overly simplistic goal, and in terms of traffic congestion, what matters is when VMT occurs — during peak or off-peak hours. AB 842 ignores the distinction. Commissioner Lempert moved and Commissioner Worth seconded to refer to Commission a position on AB 842 of “oppose unless amended” to revise the bill so that it does not focus solely on reducing vehicle miles traveled, but also on increasing the share of commute trips taken by transit, bicycle or foot, and the share of households and jobs within walking distance of transit service. In addition, the committee adopted, as a basis for MTC’s advocacy efforts, bond implementation principles as developed by the Joint Policy Committee.

S 712 (Schumer) and HR 1475 (McGovern) would both make revenue neutral employer-provided pre-tax transit/vanpool benefits and parking benefits by raising the allowable pre-tax portion of the transit/vanpool benefit to \$210 per month rather than the current \$110 per month. Commissioner Yeager moved and Commissioner Halsted seconded to refer to Commission a support position on S 712 and HR 1475.

Tom Bulger’s Report — Ms. Griffin noted conferencing next week on transit security matters.

Release of Draft MTC Public Participation Plan

Ms. Griffin sought the committee's approval to release MTC draft public participation plan for a 45-day comment period on May 4, 2007, and to schedule a public hearing on the matter for June 8, 2007, which the committee approved unanimously after a motion by Commissioner Halsted and a second by Commissioner Yeager.

Other Business/Public Comment/Next Meeting

Under other business, Ms. Griffin announced extension of the deadline to Apr. 20 for submittal of applications to serve on MTC advisory committees. Chair Dodd asked staff to alert commissioners if in particular counties have an insufficient number of applicants. Commissioner Giacopini asked staff to check into whether or not wheelchairs are included in AB 470, Assemblyman DeSaulnier's bill about electric personal assistive devices.

The next meeting was scheduled for May 11, 2007. The meeting was adjourned at 11:30 a.m.