

## **Draft Orange County Transportation Authority ~~2013-2014~~ 2015-2016 State Legislative Platform**

The ~~2013-2014~~ 2015-2016 State Legislative Platform (Platform) serves as a framework document to guide the Orange County Transportation Authority's (OCTA) state legislative, regulatory, and administrative activities in the coming legislative session. The Key Transportation Policy Issues section briefly describes the issues that are anticipated to be the major focus of the upcoming legislative session and offers guiding policy direction for those issues. The later sections present guiding policy statements for other major issue areas that may arise during the session.

Although this document generally serves to guide legislative activities and recommendations, positions on individual items not directly addressed by the Platform will be brought to the Board of Directors for formal action.

### **Key Transportation Policy Issues in ~~2013-2014~~ 2015-2016**

A number of significant transportation issues are expected to be discussed in the ~~2013-2014~~ 2015-2016 legislative session. A few of these key issues are highlighted in this section including: Transportation Funding, Implementation of Environmental Regulations *and Cap-and-Trade*, ~~and Alternative Project Delivery Methods~~, and Statewide Transportation Reform Efforts.

In order to better understand how resources are anticipated to be allocated during the ~~2013-2014~~ 2015-2016 legislative session, each issue in the Key Transportation Issues section is designated with a "Lobbying Action Level." The level is derived from the expected impact the issue could have on OCTA, the context in which the issue is moving forward, and the amount of resources that are expected to be devoted to the issue in pursuit of the objective.

A "Lobbying Action Level - High" designation means that all resources and actions necessary will be devoted to this particular issue due not only to the direct, significant, or long-term impacts that the outcome poses to OCTA, but also priority items of the OCTA Board of Directors (Board). A strategically targeted, comprehensive array of actions will be taken in addition to those used for other Lobbying Action Levels.

A "Lobbying Action Level - Medium" designation means that a full range of resources will be explored for the particular issue depending on the current status. Such actions could include formal correspondence and personal involvement of staff or Board Members through the legislative process.

A "Lobbying Action Level - Low" designation means that a smaller amount of resources will be devoted to the issue due to the low level of activity anticipated for that particular

item. These issues will be monitored for potential amendments which increase the issue's significance and warrant a higher level of activity.

#### Transportation Funding:

Since 2010, state funding for transportation programs continues to experience changes. In March 2010, the "gas tax swap" eliminated the state sales tax on gasoline and was replaced by a 17.3 cent increase to the state gas excise tax (gas tax) in order to increase the flexibility on how these funds could be utilized. Additionally, as part of the "gas tax swap" package, the state sales tax on diesel was increased to 6.75 percent while the diesel gas tax was reduced to 13.6 cents in order to provide a steady revenue stream for public transit.

The November 2010 election placed the state transportation financing structure in uncharted territory. While Proposition 22 contained stronger protections for specific local and transportation funding sources; the provisions related to local transportation funds modified transit formulas in a way that negatively impacted transit operations funding. Furthermore, Proposition 26 required any measure passed where a revenue source was increased, regardless of revenue neutrality, within a specified time period, to be re-authorized by a two-thirds vote.

The Legislature ultimately passed the ratification of the gas tax swap and also included provisions to maintain funding levels for transit, transfer weight fee revenue to cover transportation debt service, and reduced overall funding for capital programs.

~~In 2012 Through 2014~~, the state continued to fund transportation and transit programs at traditional levels. However, the road ahead may contain some reasons for caution in projecting future revenue levels. As Proposition 1B (2006) funding programs reach their conclusion, transit revenues remain dependent on economic growth, and debt pressures for the state mount, we can expect to continue to see special fund transfers and continued efforts to shift funding responsibilities to the local level, among other actions the state may take. *In addition, increases in fuel efficiency standards for newer automobiles, have reduced the amount of fuel that is being purchased. As a result, the availability of gas-tax revenue that is collected to fund transportation improvements continues to decline. Discussions on the regional, state, and federal levels to address these challenges are ongoing, and will continue through the 2015-2016 legislative session.*

~~In addition, state legislation will likely be needed to ensure the provisions in the most recent federal reauthorization bill, Moving Ahead for Progress in the 21st Century (MAP-21) are implemented in a manner that maintain traditional local funding levels and authority.~~

~~In 2013-2014~~, Therefore, in 2015-2016, to assist in the development of measures and programs to address these funding challenges, OCTA will:

a)	Support efforts to maintain and protect transportation and transit funding and distribution formulas approved under the gas tax swap	<i>Lobbying Action Level High</i>
b)	Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded	<i>Lobbying Action Level High</i>
c)	Oppose efforts to divert or reclassify transportation revenue sources, including General Fund <i>and debt service</i> purposes	<i>Lobbying Action Level High</i>
d)	Oppose efforts to link or reprioritize local and state transportation funding through AB 32	<i>Lobbying Action Level High</i>
e)	Support legislation to implement the provisions of MAP-21 in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions	<i>Lobbying Action Level High</i>
e)	Support the development of greater efficiencies within the Transportation Development Act, eliminating any unnecessary, overly burdensome and/or duplicative mandates	<i>Lobbying Action Level High</i>
f)	Support efforts to provide secure transit funding for capital and operating expenses to assist in meeting AB 32 and SB 375 goals	<i>Lobbying Action Level Medium</i>
g)	Flexibility should be included in any state transit funding source, allowing transit operators to use the funding for both operations and capital expenditures	<i>Lobbying Action Level Medium</i>

### Implementation of Environmental Regulations *and Cap-and Trade*

The state is currently pursuing multiple environmental objectives, many of which seek to reduce emissions from the transportations sector. AB 32 - the Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006), created landmark greenhouse gas emission reduction requirements by setting the overall state goal of restoring emissions to 1990 levels by the year 2020. *To meet this mandate, the state has undertaken numerous mitigation strategies including* ~~In December 2008, the California Air Resources Board (ARB) adopted a Scoping Plan outlining measures to be used to achieve the aggressive goals outlined in AB 32, including many directed at transportation emissions. One of the most ambitious measures included to reduce greenhouse gas emissions from transportation was SB 375 (Chapter 728, Chapter 2008), which seeks to link transportation, land use, and housing planning by mandates for regions to create sustainable communities strategy strategies to meet regional greenhouse gas emission reduction targets, increased fuel efficiency standards for vehicles, and the development of a cap-and-trade program. for light trucks~~

~~and automobiles for 2020 and 2035. The ARB set regional greenhouse gas emission targets in September 2010, completing the first step in implementing SB 375. However, mechanisms for funding this mandate are still needed, particularly for transit service.~~

~~In 2013-2014, the ARB will undertake several large endeavors, including revising the Scoping Plan to ensure the state is on track to meet the statewide 2020 greenhouse gas emission reduction target, administering the first auctions for the cap-and-trade system for greenhouse gas emissions, and potentially revising the SB 375 targets. Within each of these efforts, transportation stakeholders must be at the table to ensure that any guidance, revisions or allocations of revenue allow for feasible emission reductions to occur, without further burdening already stressed operating systems.~~

~~Furthermore, as the state seeks methods of creating economic stimulus through streamlined regulatory processes, focus is likely to be on the environmental review process and possible revisions that will allow for additional expediency in project delivery, while maintaining existing environmental protections. Duplications in the federal and state processes deserve special attention with the California Environmental Quality Act (CEQA) providing protections that exceed federal requirements. In addition, as regulatory processes continue to move forward that target fuel mix and vehicle technology, attention must be directed at these environmental regulations to ensure technological and economical feasibility as they are implemented.~~

*In 2014, the Governor signed legislation that established a framework to allocate both immediate and future cap-and-trade revenues through numerous competitive and formula based programs, to be administered and involve numerous state agencies including the California State Transportation Agency (CalSTA), the California Air Resources Board (ARB), the California Department of Transportation (Caltrans), the California Environmental Protection Agency (CalEPA), and the Governor’s Strategic Growth Council.*

*Therefore, in order to ensure that the state’s environmental regulations and cap-and-trade program are implemented in an equitable manner in which will both help reduce emissions and encourage the development of necessary infrastructure and services to meet the needs of California’s growing population, in 2013-2014 2015-2016 OCTA will:*

a)	Support efforts to ensure local flexibility in meeting the goals of AB 32 and the use of any associated funding	<i>Lobbying Action Level High</i>
b)	Support the eligibility of the transportation sector and inclusion of county transportation commissions as eligible recipients of any funding mechanism created for AB 32 implementation, including the cap-and-trade program	<i>Lobbying Action Level High</i>
c)	Support efforts to ensure the availability of proven technology and adequate funding prior to the implementation of zero emission bus	<i>Lobbying Action Level High</i>

	regulations	
d)	<i>Support the prioritization of transportation projects and programs that achieve greenhouse gas emissions reductions for cap-and-trade-funding</i>	<i>Lobbying Action Level High</i>
e)	Support incentive-based compliance measures rather than punitive policies	<i>Lobbying Action Level Medium</i>
f)	Oppose efforts to create regulations, or strengthen existing standards, that are not currently economically practicable or technologically feasible	<i>Lobbying Action Level Medium</i>
g)	Support legislation to streamline the environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections	<i>Lobbying Action Level Medium</i>
h)	Support the creation of grant programs to assist with compliance of the adopted regulations	<i>Lobbying Action Level Low</i>
i)	<i>Support the creation of formula-based funding programs under the cap-and-trade-program to assist with compliance of any adopted regulations</i>	<i>Lobbying Action Level Low</i>

### *Implementation of Statewide Transportation Reform Efforts*

*In 2014, CalSTA released the State Smart Transportation Initiative (SSTI) and the California Transportation Infrastructure Priorities (CTIP) reports. These reports provided not only an examination of the operations of Caltrans, but also analyzed the State's strategy and ability to deliver the needed improvements to the state's transportation system and recommendations for improvement. Many of the recommendations suggested seek changes in funding structures and priorities, the role of local and regional agencies, and would require additional review of existing and future projects to ensure projects align with the state's planning and environmental priorities.*

*While many of the suggestions included in these reports were abstract and preliminary at the time that the reports were released, it is expected that in 2015-2016 legislation will be introduced to enact many of the recommendations included in the SSTI and CTIP reports, attempting to realign existing funding programs and local delegation authority.*

*Therefore, in 2015-2016 OCTA will:*

a)	Support streamlining of the Caltrans review process for projects, simplification of processes,	<i>Lobby Action Level High</i>
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	and reduction of red tape, without compromising environmental safeguards ( <i>Moved from Roads and Highways (d)</i> )	
b)	Support maintaining the current STIP formula, which provides 75 percent of the STIP funding to the locally nominated RTIP and 25 percent to the ITIP Program ( <i>Moved from State Transportation Improvement Program Streamlining subsection (c)</i> )	<i>Lobby Action Level High</i>
c)	<i>Oppose efforts to unnecessarily subject projects to additional reviews and project selection approvals that could adversely affect delivery timelines and processes</i>	<i>Lobby Action Level High</i>
d)	Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds ( <i>Moved from State/Local Fiscal Reforms and Issues subsection (e)</i> )	<i>Lobby Action Level High</i>
e)	Support the retention of existing and future local revenue sources ( <i>Moved from State/Local Fiscal Reforms and Issues subsection (f)</i> )	<i>Lobby Action Level High</i>
f)	Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency ( <i>Moved from Roads and Highways subsection (b)</i> )	<i>Lobby Action Level Medium</i>

**Alternative Project Delivery Methods**

~~Recognizing the need to provide innovative methods of project delivery and funding in order to meet existing and future demands on the state's transportation system, over the last few years the Legislature passed pilot programs allowing increased design-build and public-private partnership authority. One of the more significant statutory changes was included under SBX2 4 (Chapter 2, Statutes of 2009), which authorized 15 design-build projects statewide through 2014, and unlimited use of public-private partnerships through 2017. The enactment of AB 401 (Chapter 586, Statutes of 2013) builds on the design-build authority included in SBX2 4, by authorizing regional transportation agencies to use the design-build method of procurement for an unlimited number of state highway projects until January 1, 2024.~~

~~In the years since this authority was first signed into law, multiple legislative proposals have been introduced to revise, limit, and expand the authority. In order to ensure these pilot programs, and other similar programs, are allowed the longevity and stability to clearly demonstrate the effectiveness of the policies, in 2013-2014, OCTA will:~~

a)	<del>Support efforts to expand and extend design-build and public-private authority, expanded mode eligibility, and allow the appropriate balance</del>	<i>Lobby Action Level High</i>
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	<del>of partnership between the state and local agencies (Moved to Roads and Highways Section subsection (e))</del>	
b)	<del>Oppose efforts to alter design-build or public-private partnership processes to create unnecessary hurdles to delay proposed projects (Integrated with Roads and Highways Section subsection (e))</del>	<del>Lobby Action Level High</del>
e)	<del>Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms (Moved to Roads and Highways Section subsection (f))</del>	<del>Lobby Action Level High</del>
d)	<del>Support the use of performance based infrastructure that increases highway capacity without limiting the ability to improve public facilities and that maintains local authority and flexibility in decision-making (Moved to Roads and Highways Section subsection (g))</del>	<del>Lobby Action Level Medium</del>
e)	<del>Support efforts that authorize regional transportation planning agencies to utilize alternative project delivery methods, such as Construction Manager/General Contractor, for local street and road, public transit, and highway projects included in its voter-approved sales tax measure program (Integrated with Roads and Highways Section subsection (e))</del>	<del>Lobby Action Level Medium</del>
f)	<del>Support legislation authorizing the use of design-build for transportation infrastructure without limiting the type of funding that can be used on the projects (Integrated with Roads and Highways Section subsection (e))</del>	<del>Lobby Action Level Medium</del>

### Sponsored Legislation

Each year, OCTA may consider sponsoring legislation to clarify or address various transportation policy areas that require additional attention. This session, the following major initiative will be emphasized as sponsor legislation:

a)	<del>Sponsor legislation allowing for design-build on the Interstate 405 Implementation Project. (AB 401 (Chapter 586, Statutes of 2013) was signed into law on October 5, 2013)</del>	<del>Successfully Completed</del>
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## I. STATE BUDGET

As the Legislature continues to move forward in developing solutions to close the state's structural deficit, OCTA continues to monitor the status of transportation funding in California, promoting the continued stability of existing programs, and efforts to address future funding deficiencies to meet transportation infrastructure needs. As a proven method to help rebuild the economy through investments in vital transportation infrastructure projects and critical transit services, OCTA also will work to promote methods of expediting such projects to allow for such stimulus.

Key actions by OCTA will include:

- a) Oppose unfunded mandates for transportation agencies, *transit providers*, and local governments in providing transportation improvements and services
- b) Oppose cost shifts or changes in responsibility for projects funded by the state to the local transportation entities
- c) Support legislation to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies
- d) Support the constitutional protection of all transportation funding resources
- e) Seek additional funding for paratransit operations *and transit accessibility capital improvements that support* ~~including services for~~ persons with disabilities and senior citizens
- f) Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time

## II. STATE/LOCAL FISCAL REFORMS AND ISSUES

As California's budget challenges continue, uncertainties over potential future structural changes remain. OCTA is concerned that local agencies will be impacted as the Legislature and Administration attempt to erase the budget deficit and repay loans coming due in the next few years.

Therefore, OCTA will:

- a) Oppose efforts to reduce local prerogative over regional program funds

- b) Oppose levying new and/or increase in gasoline taxes or user fees, including revenue increases on fuel consumption categorized as charges, fees, revenue enhancements, or similar classifications. Consideration of such efforts shall occur when a direct nexus is determined to exist between revenues and transportation projects and additional revenues are to be controlled by the county transportation commission.
- c) Oppose efforts to decrease the voter threshold requirement for local tax measures for transportation purposes and/or mandating specific uses of future local sales tax revenues
- d) Oppose efforts to increase administrative fees charged by the Board of Equalization on the collection of local sales taxes measures
- e) ~~Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds (Moved to Statewide Transportation Reform subsection (d))~~
- e) Support efforts to ease or simplify local matching requirements for state and federal grants and programs
- f) ~~Support the retention of existing and future local revenue sources (Moved to Statewide Transportation Reform subsection (e))~~
- g) Support legislation to protect the flexibility of federal aid highway funds by requiring state compliance with federal highway safety requirements
- h) Support flexibility for obligating regional federal transportation funds through interim exchange instead of loss of the funds by the local agency
- i) Support increased flexibility in state guidelines related to the use of state highway funds for soundwalls

### **III. STATE TRANSPORTATION IMPROVEMENT PROGRAM STREAMLINING**

The State Transportation Improvement Program (STIP), substantially amended by SB 45 (Chapter 622, Statutes of 1997), is a programming document that establishes the funding priorities and project commitments for transportation capital improvements in California. SB 45 placed decision-making closest to the problem by providing project selection for 75 percent of the funding in the Regional Transportation Improvement Program (RTIP). This funding is distributed to counties based on an allocation formula. The remaining 25 percent of the funds is programmed by the ~~California Department of Transportation~~ (Caltrans) in the Interregional Transportation Improvement Program (ITIP). Although traditionally funded through multiple revenue sources, as a result of the state's ongoing budgetary issues, the gas excise tax and bond funding have become the STIP's remaining sources of program funding.

Key provisions to be sought by OCTA include:

- a) Support legislation that maintains equitable “return to source” allocations of transportation tax revenues, such as updating the north/south formula distribution of county shares and ITIP allocations
- b) Support legislation to clarify that programming of current period county shares has priority over advancement of future county shares
- c) ~~Support maintaining the current STIP formula, which provides 75 percent of the STIP funding to the locally nominated RTIP and 25 percent to the ITIP Program (Moved to Statewide Transportation Reforms Key Issue subsection (b))~~
- d) c) Support a formula based guaranteed disbursement of the ITIP
- e) d) Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects
- f) e) Support efforts to allow a mode neutral STIP

#### **IV. TRANSIT PROGRAMS**

In ~~2013-2014-2015-2016~~, OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put further strain on existing resources. Thus, OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source.

To that end, OCTA will focus on the following:

- a) ~~Oppose unfunded transit mandates that may occur as part of California’s Olmstead Plan, which encourages independence in the disabled community (Integrated with State Budget subsection (a))~~
- b) Support legislation to encourage *and incentivize* the interoperability of ~~smart card technology~~ *transit and rail systems* within California
- c) Support legislation to limit the liability of transit districts for the location of bus stops (Bonanno v. Central Contra Costa Transit Authority)
- d) Support the citing of transit oriented development projects (i.e. authorize extra credit towards housing element requirements for these developments), including incentives for development

- e) Support program reforms to realign administrative rules, farebox recovery requirements, and various exclusions under the State Transit Assistance Program.
- f) Support legislation and or/regulations which aims to enhance transit services without compromising the overall safety of transit riders, coach operators, and on-road vehicles
- g) Work with stakeholders to revise bus axle weight standards to reflect existing environmental, safety and access mandates placed on transit vehicles, while also accounting for local roadway impacts and manufacturing feasibility

## V. ROADS AND HIGHWAYS

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes and the use of design-build authority on the Garden Grove Freeway (State Route 22) project. OCTA will continue to seek new and innovative ways to deliver road and highway projects to the residents of Orange County and to that end, in ~~2013-2014~~ 2015-2016, OCTA will focus on the following:

- a) Oppose efforts to create a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region
- ~~b) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency (Moved to Statewide Transportation Reform Efforts subsection (f))~~
- ↔ b) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the state's economy
- ~~d) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards (Moved to Statewide Transportation Reform Efforts subsection (a))~~
- c) Support efforts to expand, ~~and extend,~~ *and preserve, new and existing* alternative project delivery methods such as design-build, ~~and~~ public-private partnership authority, *and construction manager/general contractor authority*, including expanded mode and funding eligibility, ~~and~~ while allowing the appropriate balance of partnership between the state and local agencies (*Moved from Alternative Project Delivery Methods Key Issue*)
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding

contracts using alternative project delivery mechanisms (*Moved from Alternative Project Delivery Methods Key Issue section*)

e) Support the use of ~~performance-based infrastructure-public-private partnerships~~ that increases highway capacity without limiting the ability to improve public facilities and that maintains local authority and flexibility in decision making (*Moved from Alternative Project Delivery Methods Key Issue section*)

~~e) Support the use of new technology to enhance toll agency enforcement efforts (Moved to 91 Express Lanes/Managed Lanes subsection (e))~~

f) Support studying the policies, funding options, and need for rail/highway grade separations including any impact on existing state highway and transit funding sources

~~g) Support methods to address toll violations due to the absence of license plates, the use of temporary plates, or protected plates (Moved to 91 Express Lanes/Managed Lanes subsection (f))~~

~~h) g) Support the Transportation Corridor Agency's Foothill South Toll Road Extension Plan to connect State Route 241 (SR 241) to Interstate 5 in South Orange County~~

~~i) h) Work with Caltrans to ensure design specifications for bridges are free from defect~~

~~j) i) Seek cooperation from the state, the county, cities, and other local jurisdictions to implement street signal coordination, prioritization, preemption, and use of intelligent transportation system measures~~

~~k) j) Work with Caltrans to further improve street signal coordination by permitting the coordination of on and off-ramp signals with local street signal synchronization efforts~~

~~l) k) Continue to work with Caltrans and regional agencies on expanding utilization of continuous access of High-Occupancy Vehicle (HOV) lanes~~

~~m) l) Monitor efforts to increase fines for HOV lane violations, and if implemented, ensure fines are dedicated to enforcement purposes~~

~~n) Cooperate with the Riverside County Transportation Commission on the extension of the existing 91 Express Lanes into Riverside County (Moved to 91 Express Lanes/Managed Lanes subsection (b))~~

~~o) Oppose legislation which seeks to divert revenues from existing toll lanes facilities for state purposes (Moved to 91 Express Lanes/Managed Lanes subsection (a))~~

~~p) Support efforts to preserve local flexibility in the administration of toll lanes, ensuring consistency with the provisions of the settlement agreement in Avery et al v. Orange~~

~~County Transportation Authority (Moved to 91 Express Lanes/Managed Lanes subsection (c))~~

~~q) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes (Moved to 91 Express Lanes/Managed Lanes subsection (d))~~

~~r) Support policies that encourage the safe interaction and operation of integrated multi-modal systems, including roadways, rail lines, bikeways, and pedestrian ways, and the users of these facilities (Moved to Active Transportation subsection (c))~~

s) m) Work with Caltrans on collaborative solutions to address the degradation of HOV lanes within the State, ensuring any solution *respects local transportation funding sources and programs*, is supported by the relevant regional transportation planning agency, and does not attempt to redirect existing local transportation funding sources. Any discussions associated with HOV degradation must include an analysis of the impacts from single-occupant low-emission vehicles, including associated federal requirements triggered by their access allowance

‡) n) Support efforts to improve local oversight and create operational improvements in the administration of the Orange County Taxi Administration Program

o) *Support legislation that provides for greater enforcement of regulations governing transportation network companies*

‡) p) Support efforts to increase the flexibility for the use of funds for *motorist service programs such as the Service Authority for Freeway Emergencies program and for funds previously acquired through the Service Authority for Abandoned Vehicles*

## **VI. 91 EXPRESS LANES/MANAGED LANES**

*OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes, a 10-mile managed lane facility on State Route 91, extending from State Route 55 to the Orange/Riverside County line. Since their purchase in 2003, the 91 Express Lanes have provided drivers an alternative mobility option for commuters between Orange and Riverside Counties, while also allowing for investment in multi-modal improvements throughout the State Route 91 corridor. As transportation demands continue to increase and transportation revenues remain stagnant, innovative tools must be available to ensure transportation infrastructure projects continue to be built in a reliable, prompt, and efficient manner. One such tool many agencies are discussing is increased use of managed lane facilities. To ensure not only the continued success of the 91 express lanes, but also to ensure managed lane policy moving forward allows for local flexibility and input, in 2015-2016, OCTA will:*

- a) *Support legislation to ensure revenues from managed lane facilities remain within the corridor from which they are generated, ~~Oppose legislation which seeks opposing efforts to divert revenues from existing toll managed lanes facilities for state purposes (Revised and moved from Roads and Highways section)~~*
- b) *Cooperate with the Riverside County Transportation Commission on the extension of the existing 91 Express Lanes into Riverside County (Moved from Roads and Highways section)*
- c) *Support efforts to preserve local flexibility in the administration of toll lanes, ensuring consistency with the provisions of the settlement agreement in Avery et al v. Orange County Transportation Authority (Moved from Roads and Highways section)*
- d) *Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes (Moved from Roads and Highways section)*
- e) *Support the use of new technology to enhance toll agency enforcement efforts (Moved from Roads and Highways section)*
- f) *Support methods to address toll violations due to the absence of license plates, the use of temporary plates, or protected plates (Moved from Roads and Highways section)*

## **VI. VII. RAIL PROGRAMS**

*Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. ~~In 2012, Metrolink celebrated its 20th anniversary of operation in Orange County.~~ Orange County is served by three *Metrolink* routes: the Orange County Line, the Inland Empire-Orange County Line, and the 91 Line. ~~Currently,~~ *In support of these routes,* OCTA administers 48 miles of track that carry approximately four million passengers per year. OCTA's Metrolink capital budget is funded through a combination of local, state, and federal funding sources. *In 2014, with the support OCTA, its member agencies, and in partnership with the Burlington North-Santa Fe Railway, Metrolink became the first commuter railroad in the nation to run interoperable Positive Train Control (PTC)-equipped trains with plans to put PTC in service on all of its routes by 2015.**

*In addition to ~~Orange County~~ Metrolink services, Orange County is also served by inter-county passenger rail services provided by Amtrak Pacific Surfliner (Surfliner). These trains operate along the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor and are currently administered by Caltrans. With the passage of SB 1225 (Chapter 802, Statutes of 2012) a statutory framework was established to facilitate the transfer of operation and managerial oversight of Surfliner services to the LOSSAN Rail Corridor Agency (LOSSAN Agency), pending Caltrans approval. In 2013, OCTA was*

*selected by the LOSSAN Rail Corridor Agency to serve as the interim administrating agency to facilitate the transfer of Surfliner services to the LOSSAN Agency.*

~~Two~~ *Other* rail systems could also travel through Orange County at some point in the future — ~~high-speed rail and~~ *including* magnetic-levitation, (also known as Maglev) *and additional intercity rail service.* While the status and future of these programs is uncertain, OCTA will be watchful to ensure that funding for these rail systems does not impact other transportation funding sources.

Key advocacy efforts will emphasize the following:

- a) Support legislation that encourages mixed-use development around rail corridors
- b) Support legislation that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion
- c) Support efforts at creating additional efficiency in rail program oversight, including consideration of possible program consolidation
- d) Monitor and evaluate plans and progress of high-speed rail and its funding
- e) Work with regional passenger rail providers including Metrolink *and the LOSSAN Rail Corridor Agency*, on any proposed legislation to provide safety improvements on ~~the Metrolink system~~ *the rail network in Southern California*, including positive train control
- f) Ensure that public control of goods movement infrastructure projects is retained at the local level
- g) Seek mitigation for the impacts of goods movement on local communities
- h) Pursue new sources of funding for goods movement infrastructure
- i) Continue to work with local, regional, state, and federal entities, as well as with the private sector, to develop and implement needed infrastructure projects that support *modernization, connectivity, and general system-wide improvements to California's rail network*

## **VIII. ACTIVE TRANSPORTATION**

*Active transportation projects and programs, which encourage greater mobility through walking and biking, have increasingly grown in popularity due to the environmental, health and cost savings benefits. Though local planning efforts like Orange County's Regional Bikeways Planning Collaborative and the development of OCTA's Commuter Bikeways Strategic Plan, OCTA continues to study, plan, and fund active transportation*

*projects and programs as part of its mission to provide Orange County with an efficient and multi-modal transportation system.*

*Key positions Include:*

- a) *Support legislation that increases the visibility and safety of users engaged in active transportation*
- b) *Support creative use of paths, roads, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths (Moved from Environmental Policies section)*
- c) *Support policies that encourage the safe interaction and operation of integrated multi-modal systems, including roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities (Moved from Roads and Highways section)*
- d) *Support efforts to streamline active transportation funding programs*

#### **~~VII.~~ IX. ADMINISTRATION/GENERAL**

General administrative issues arise every session that could impact OCTA's ability to operate efficiently. Key positions include:

- a) *Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability*
- b) *Support legislation that is aimed at controlling, diminishing, or eliminating unsolicited electronic messages that congest OCTA's computer systems and reduce productivity*
- c) *Support legislation that establishes reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault*
- d) *Support legislation that would provide for consistency of campaign contribution limits applied to both elected and appointed bodies*
- e) *Monitor the effect of Brown Act legislation on OCTA Board operations as it relates to the use of new technologies for communication with the public*

#### **~~VIII.~~ X. ENVIRONMENTAL POLICIES**

Changes in environmental laws can affect OCTA's ability to plan, develop, and build transit, rail, and highway projects. While OCTA has been a leading advocate for new,

cleaner transit technologies and the efficient use of transportation alternatives, it also remains alert to new, conflicting, or excessive environmental statute changes.

Key positions include:

- a) Oppose efforts to grant special interest groups or new bureaucracies control, oversight, or influence over the CEQA process
- b) Oppose legislation that restricts road construction by superseding existing broad-based environmental review and mitigation processes
- c) ~~Support creative use of paths, roads, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths (Moved to Active Transportation subsection (b))~~
- d) c) Support incentives for development, testing, and purchase of clean fuel commercial vehicles
- e) d) Support efforts to seek funding *and flexibility* for ~~the retrofitting~~ *retrofit* or re-powering of transit buses *and locomotives* with cleaner engines to attain air quality standards
- f) e) Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote regional advance mitigation planning programs.

## ~~IX.~~ **XI. EMPLOYMENT ISSUES**

As a public agency and one of the largest employers in Orange County, OCTA balances its responsibility to the community and the taxpayers to provide safe, reliable, cost-effective service with its responsibility of being a reasonable, responsive employer.

Key advocacy positions include:

- a) Oppose efforts to impose state labor laws on currently exempt public agencies
- b) Oppose legislation that circumvents the collective bargaining process
- c) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively deal with labor relations, employee rights, benefits, Family Medical Leave Act, and working conditions, including health, safety, and ergonomic standards for the workplace

- d) Support legislation that reforms and resolves inconsistencies in the workers' compensation and unemployment insurance systems, and labor law requirements that maintain protection for employees and allow businesses to operate efficiently

## **X. XII. TRANSPORTATION SECURITY**

As terrorist attacks continue to take place on transit systems around the world, significant transportation security efforts have been and continue to be carried out in the United States. OCTA is the County's bus provider and Metrolink partner and comprehends the importance of securing our transportation network and protecting our customers. Presently, OCTA maintains a partnership with the Orange County Sheriff's Department to provide OCTA Transit Police Services to the bus and train systems in Orange County. OCTA is also currently working with its community partners on an effort to install video surveillance systems at Metrolink stations and on buses to enhance security efforts.

Heightened security awareness, an active public safety campaign, and greater surveillance efforts, all require additional financial resources. Consequently, in ~~2013-2014-2015-2016~~, OCTA's advocacy position will highlight:

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities
- b) Support legislation that *balances retention mandates of* ~~would reduce the time period to retain~~ video surveillance records to reflect current reasonable technological *and fiscal* capabilities
- c) Support the use of new technology to increase the safety of public transportation passengers and operators