



September 27, 2018

TO: Transportation Authority of Marin Board of Commissioners

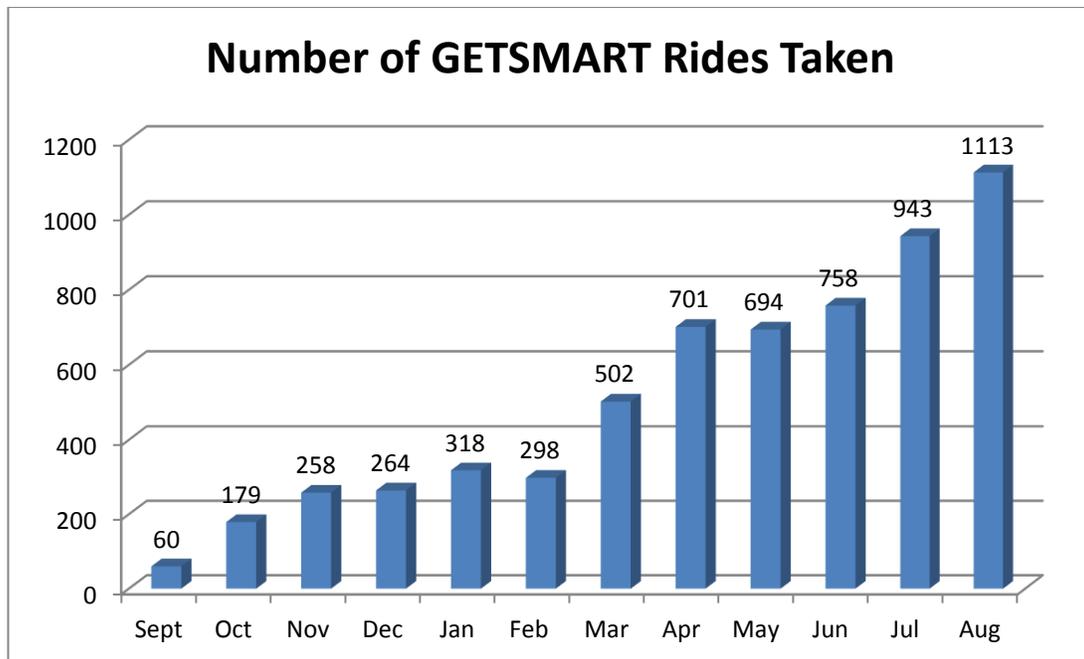
FROM: Dianne Steinhauser, Executive Director

SUBJECT: Executive Director's Report – Agenda Item 3 (Discussion)

LOCAL

TAM'S GetSMART Lyft Program - Record Month of Ridership!

TAM's partnership with Lyft to provide \$5 off shared rides through Lyft (TAMs GetSMART program) has recently reached a record growth in ridership, providing over 1,100 riders to and from SMART Stations monthly in Marin County. This innovative program has been in operation for a year, and has provided over 6,000 rides to date, along with ADA accessible service through Whistlestop. The program has seen steady growth in ridership since its launch in September 2017, supporting SMART service and first and last mile connections throughout Marin. Additionally, all rides given through Lyft since March of this year, have been Carbon Neutral with carbon offsets purchased by Lyft. TAM will report out more information on this program at an upcoming TAM Board Meeting.



Crossing Guard of the Year – Ronald Laubach



Ronald Laubach is being honored with the Crossing Guard of the Year Award for his dedication to the safety of children making their way to Miller Creek Middle School in Lucas Valley/Marinwood. Each weekday, morning and afternoon, Ron can be found with his yellow vest and red stop sign at the intersection of Las Gallinas Avenue and Elvia Court helping students cross the road safely to school.

After taking an early retirement, Mr. Laubach became the crossing guard at Miller Creek Middle School and has held his post for five

years. He has lived in the neighborhood for 30 years and enjoys his 10-minute walk from his home to and from the school each morning and afternoon. He found that being a crossing guard has been the perfect way to get involved in his community. TAM is pleased to honor Ronald for his dedication to the health and safety of his community, and the care he has provided our schoolchildren.

Global Climate Action Summit - a Great Success in Marin!

On Saturday, September 15, over 700 involved and interested community members joined the Global Climate Action Summit affiliate event in Marin “Getting to Paris Without Stopping in Washington.” The event featured a showcase with community action information, and organic food and wine, followed by an in-depth program featuring local, state federal and international climate action leaders. Participants were engaged and inspired with discussion of how communities can come together to achieve global climate goals. TAM hosted an information booth with Marin Transit and TAM Board members Damon Connolly, Kate Sears and Stephanie Moulton-Peters presented at this important community event.



We can all help reduce greenhouse gas emissions by adjusting how we travel. Easy action items:

- Drive Less! Leave your car at home at least one or two days a week.
- Try the bus, bike or walk when you can!
- Drive electric or make a pledge to go electric for your next vehicle.



North Bay Climate Action Summit

On September 20th, TAM staff attended the North Bay Climate Action Summit hosted in Novato at the Buck Institute. TAM staff served as subject matter experts, leading discussions on how transportation and mobility solutions can help to address climate change. The exciting event was attended by a number of local elected officials from across Marin, Sonoma and Napa counties as well as a number of TAM board members. TAM spoke with many agencies and community partners around our successful efforts with Safe Routes to Schools, our Lyft Program, dedicated funding for transit, and Electric Vehicle Charging stations and Electric Vehicle fleet replacement, as well as upcoming efforts like our TAM/SCTA bikeshare program (Marin/Sonoma access to SMART)

Marin National Drive Electric Event on Saturday, September 15th



On Saturday, September 15th, TAM sponsored, while working with the Golden Gate Electric Vehicle Association (GGEVA), the 7th annual National Drive Electric Week EV Event at the Bon Air Shopping Center. This was the second year in a row that the event was held at Bon Air Shopping Center with a chance to further promote electric vehicles to a broad number of residents. The event attracted many visitors who were able to view electric vehicles and schedule test drives. The event also included additional vehicles on display from local owners who wanted to help promote electric vehicles and offer opportunities for consumers to view additional models for consideration.

Building on success from past years and the knowledge and participation of TAM's EV advisory under the TAM Clean Transportation Technology Working Group, TAM and GGEVA worked with auto dealers and EV owners to provide this event to the public to advance electric vehicle adoption in Marin County. In total there were about 425 attendees and 73 test drives and future appointments that developed through the event. The National Drive Electric Week raises the awareness of the benefits of electric cars and is a critical element of electric vehicle outreach in Marin County, and reaching greenhouse gas emission reduction goals.

San Anselmo Opens Magnolia Avenue Parking Lot with Six New EV Charging Ports

On September 25th San Anselmo officials and electeds held a ribbon cutting event at its latest public parking lot project on Magnolia Avenue, adjacent to Town Hall. While incorporating the latest in design standards, such as stormwater treatment features, it



also includes six new EV charging spaces provided in part by matching grant funds from TAM's Measure B – Vehicle Registration Fee, Alternative Fuel Promotion Program. The new EV parking spaces join a robust and growing inventory of publicly accessible EV chargers and will help promote EV adoption in Marin County for a cleaner air quality future with lower GHG emissions.



REGIONAL

TAM Submits Transformative Projects for MTCs Horizon Initiative



As part of MTCs Horizons Initiative to envision what the future may look like in 2050, in June MTC announced a request for Transformative Projects focused on major transportation and resiliency investments (\$1 Billion plus) that were not previously assessed in Plan Bay Area 2040. TAM working with partner Congestion Management Agencies, SMART and MTC submitted two major initiatives for consideration in this process, including:

- State Route 37 – Multimodal Corridor Improvements including Bike/Ped and Rail Access and Adaption to address Sea Level Rise
- Marin County Sea Level Rise Adaption – Adaption and protection of existing transportation infrastructure throughout Marin County identified as vulnerable in the C-SMART and BayWave Vulnerability studies.

MTC staff are currently reviewing more than 500 project submissions received as part of this process. Projects that perform well across a set of potential future scenarios may be considered for inclusion in the upcoming Regional Transportation Plan, Plan Bay Area 2050.

Bay Area Air Quality Management District (BAAQMD) Diesel Free by '33 Campaign

Marin County and other local communities are joining others throughout the Bay Area in a pledge to become diesel-free by 2033. Officials from Marin County, Belvedere, Larkspur and Novato joined in signing the diesel-free statement of purpose according to BAAQMD. The campaign was launched during the San Francisco Global Climate Summit week on September 12th, 2018. More jurisdictions are likely to join in.

The California Air Resources Board estimates that 54 percent of the state's black carbon emissions originate from on-road diesel and off-road mobile engines and calls for the need for urgent action to curtail these emissions. The campaign also extends the diesel-free pledge to industry leaders and businesses.



STATE

State Legislative Bills

August 31, 2018 was the last day for each house to pass bills. September 30, 2018 is the last day for Governor to sign or veto bills passed by the Legislature. Enacted bills take effect January 1, 2019 unless specified.

Attachment A contains the detailed set of 15 bills that were being monitored by staff and Mr. Khouri. More bills were initially on this chart, but bills were removed that are no longer active, resulting in these 15 bills. Of the 15 bills that were monitored by TAM, 11 bills passed the Legislature and four did not. As of September 21, 2018, seven have been signed by the Governor and four are still awaiting decision.

The statuses of the 15 bills are highlighted in the below table:

Bill	Description	TAM's Position
Signed by Governor		
AB 636	Delaying local streets and roads expenditure reporting to December 1 of each year	Support
AB 1041	BATA conflicts of interest rules	Watch
AB 2249	Change contracting limits to be performed by public agencies and allowed by informal procedures	Watch
AB 2535	Allow toll evasion violation to include photographic evidence	Support
AB 3124	Increase bus length on exemption to accommodate bike racks	Support
SB 848	Cap Caltrans' indirect costs at 10% for a three-year period	Support
SB 1262	Remove cap on number of projects that Caltrans is authorized to use the CM/GC method	Support
Pending Governor's Signature or Veto		
AB 1184	Authorize San Francisco to impose a tax on each ride provided by TNCs up to 3.25%	Watch
SB 1119	Authorize transit agencies receiving LCTOP funds to satisfy GHG requirements by expending 50% of funds on transit fare subsidies or technology that reduce GHG.	Support
SB 1328	Extend the CTC's Road Usage Charge Technical Advisory Committee until January 1, 2019	Support
SB 1376	Require the CPUC to assess a minimum of \$0.05 per fee on TNCs to fund accessible services	Watch
Did Not Pass Legislature		
AB 1640	Change autonomous vehicle definition	Watch
AB 1405	Authorize Caltrans to install up to 25 digital signs on state highway system	Watch
AB 1901	Extend CEQA exemption to January 1, 2020 on maintenance and repair projects	Support
SB 760	Prohibit Caltrans from denying permits solely because work is not be performed according to specifications approved by Caltrans	Watch

AB 1184

While AB 1184 is specified to San Francisco, TAM will monitor the implementation of AB 1184 should the Governor sign the bill. As of September 21, 2018, AB 1184 is on the Governor's desk for his signature.

This bill would authorize the City and County of San Francisco to impose a tax on each ride originating in the City and County of San Francisco provided by an autonomous vehicle, whether facilitated by a Transportation Network Company (TNC) or any other person, or by a participating driver in an amount not to exceed 3.25% of net rider fares for a ride and 1.5% of net rider fares for a shared ride. The bill would also authorize the City and County of San Francisco to set a lower tax rate for net rider fares for a ride provided by a zero-emission vehicle. The bill would require moneys collected by the City and County of San Francisco from this tax to be dedicated to fund transportation operations and infrastructure within the City and County of San Francisco. The bill would require a tax imposed pursuant to this authority to expire no later than November 5, 2045.

While TNC trips are propriety information to TNCs, such as Uber and Lyft, San Francisco is estimated to generate approximately 100,000 TNC trips daily. The revenues generated from AB 1184 will have tremendous impacts on funding transportation projects and transit operations in San Francisco. While Marin only generate a small fraction of the TNC trips as San Francisco, enacting a similar bill as AB 1184 can be considered as a future revenue stream for Marin's transportation operations and infrastructure. Note the revenue from this tax will go to the San Francisco County Transportation Authority, TAM's sister agency in San Francisco.

Mr. Khouri's monthly report is attached (Attachment B) to provide greater details on AB 1184 along with SB 1376 that requires the PUC to assess a 5-cent fee per TNC trips to create a program to provide accessibility for persons with disabilities.

ATTACHMENTS

Attachment A – State Legislative Chart

Attachment B – Khouri Monthly Report

OUTREACH REPORT

This is a listing of events where TAM directly addressed the group, was part of a forum or roundtable, or had a literature/education table that TAM staff managed.

7/3/2018	Novato Chamber of Commerce
7/10/2018	Coalition of Sensible Taxpayers
7/11/2018	Marin Conservation League
7/17/2018	Sausalito/Request to Approve Final Expenditure Plan
7/18/2018	North Bay Leadership Council - Keep Marin Working
7/27/2018	Marin Economic Forum
8/18/2018	SMARTFest
8/28/2018	Safe Routes to Schools
8/30/2018	Marin County Civil Grand Jury
9/6/2018	North Bay Leadership Council
9/12/2018	Marin Mobility Consortium
9/15/2018	Electric Vehicle Test Drive Event
9/15/2018	Getting to Paris without Stopping in Washington
9/17/2018	Paratransit Coordinating Council
9/19/2018	BayWave
9/18/2018	Novato Chamber of Commerce Leadership Institute
9/19/2018	Age Friendly Commission
9/20/2018	North Bay Climate Action Summit
9/24/2018	Marin Transit School Transportation
10/1/2018	Main Street Moms - West Marin
10/4/2018	County of Marin Commission on Aging
10/24/2018	Marin Senior Fair
10/25/2018	Marin Sustainable Enterprise Conference

TAM Bill Matrix – September

Measure	Status	Bill Summary	Position
AB 636 Irwin (D) Local streets and Roads: expenditure reports	8/20/17 Chaptered by the Secretary of State, Chapter 159, Statutes of 2018	<p>Existing law requires cities and counties to file a report with the State Controller's Office (SCO) detailing the expenditures for streets and roads purposes during the preceding fiscal year by October 1 every year. This date is reflective of most local governments having a fiscal year ending June 30. There are a number of cities that operate on the federal fiscal year, which ends September 30. Most of these cities however are still required to submit their information to the SCO by October 1. This disparity in time can cause some cities to submit incomplete reports and then have to submit additional or corrected reports. There are a few cities specified in state law that currently are required to submit their reports within seven months of the end of the fiscal year, rather than by October 1.</p> <p>This bill would allow all cities and counties to submit their reports by December 1 of each year relative to the preceding fiscal year ending on June 30. Last amended on 6/4/17</p>	Support Approved: 2/22/18 MTC: None CSAC: Watch League: Support
AB 1041 Levine (D) Bay Area Toll Authority: conflicts of interest	6/1/18 Chaptered by the Secretary of State, Chapter 16, Statutes of 2018.	<p>Existing law provides for a proposed toll increase on the state-owned toll bridges to be submitted to voters of the 9 bay area counties, to be known as Regional Measure 3. Existing law requires the Bay Area Toll Authority (BATA) to, among other things, establish an independent oversight committee within 6 months of the effective date of the Regional Measure 3 toll increase with a specified membership, to ensure the toll revenues generated by the toll increase are expended consistent with a specified expenditure plan and requires the BATA to submit an annual report to the Legislature on the status of the projects and programs funded by the toll increase.</p> <p>This bill would prohibit a representative appointed to the oversight committee from being a member, former member, staff, or former staff of the commission or the authority, a current employee of any organization or person that has received or is receiving funding from the commission or the authority, or a former employee or person who has contracted with any organization or person that has received or is receiving funding from the commission or the authority within one year of having worked for or contracted with that organization or person. Last amended on 1/3/2018</p>	Watch MTC: None CSAC: Watch League: Watch
AB 1160 Bonta (D) Autonomous vehicles	6/22/17 Senate Transportation & Housing Committee Died in Committee	<p>This bill would change the definition of autonomous vehicle to mean any vehicle equipped with autonomous technology that has been integrated into that vehicle or a vehicle that meets specified levels of driving automation, as defined. Last amended on 4/17/17</p>	Watch MTC: None CSAC: Watch League: Watch

TAM Bill Matrix – September

Measure	Status	Bill Summary	Position
AB 1184 Ting <i>City and County of San Francisco: local tax: transportation network companies: autonomous vehicles.</i>	9/11/18 Governor's Desk	This bill would authorize the City and County of San Francisco to impose a tax on each ride originating in the City and County of San Francisco provided by an autonomous vehicle, whether facilitated by a transportation network company or any other person, or by a participating driver in an amount not to exceed 3.25% of net rider fares, as defined, for a ride and 1.5% of net rider fares for a shared ride, as specified. The bill would also authorize the City and County of San Francisco to set a lower tax rate for net rider fares for a ride provided by a zero-emission vehicle. The bill would require moneys collected by the City and County of San Francisco from this tax to be dedicated to fund transportation operations and infrastructure within the City and County of San Francisco. The bill would require a tax imposed pursuant to this authority to expire no later than November 5, 2045. Last amended on 8/22/18	Watch MTC: None CSAC: Watch League: Watch
AB 1405 Mulin (D) Digital Billboard Advertisements	6/26/18 Senate Transportation Committee Died in Committee	This bill would allow Caltrans, with federal approval, until January 1, 2024, to enter into agreements with local jurisdictions to install and operate up to 25 digital signs displaying commercial advertisements and public service announcements within the right of way of the state highway system. The signs could be used to display emergency messages, traveler information, motorist safety campaigns, and other messaging desired by the state, without providing compensation to the contracting entity. Last on amended on 6/13/18	Watch MTC: None CSAC: Oppose League: Oppose
AB 1901 Obernolte (R) CEQA: roadway project exemptions	6/20/18 Senate Environmental Quality Committee Died in Committee	CEQA, until January 1, 2020, exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, as defined, if the project or activity is carried out by a city or county with a population of less than 100,000 persons to improve public safety and meets other specified requirements, including a requirement that the project involves negligible or no expansion of an existing use beyond that existing at the time of the lead agency's determination. This bill would extend the above exemption indefinitely. Last amended on 4/18/18	Support 2/22/18 MTC: None CSAC: Support League: Watch
AB 2249 Cooley (D) Public Contracts: Local Agencies	6/14/18 Chaptered by the Secretary of State, Chapter 169, Statutes of 2018	Current law under the Uniform Public Construction Cost Accounting Act authorizes public projects of \$45,000 or less to be performed by the employees of a public agency, authorizes public projects of \$175,000 or less to be let to contract by informal procedures, and requires public projects of more than \$175,000 to be let to contract by formal bidding procedures. This bill would instead authorize public projects of \$60,000 or less to be performed by the employees of a public agency, authorize public projects of \$200,000 or less to be let to contract by informal procedures, and require public projects of more than \$200,000 to be let to contract by formal bidding procedures. The bill would permit the governing body of a public agency, in the event all bids received for the performance of that public project are in excess of \$200,000, to award the contract at \$212,500 or less to the lowest responsible bidder if it determines the cost estimate of the public agency was reasonable. Last amended on 6/14/18	Watch MTC: None CSAC: Support League: Support

TAM Bill Matrix – September

Measure	Status	Bill Summary	Position
AB 2535 Obernolte (R) Toll Evasion	69/174/18 <u>Governor's- Desk</u> <u>Chaptered</u> <u>by the</u> <u>Secretary of</u> <u>State, Chapter</u> <u>435, Statutes of</u> <u>2018</u>	<p>This bill would a notice of toll evasion violation to include a copy of all photographic evidence on which the toll evasion determination was based if the vehicle was found, by automated devices, to have evaded the toll through failure to meet occupancy requirements in a high-occupancy toll lane. Because this bill would require an issuing agency or a processing agency to include additional materials in the notice, it would impose a state-mandated local program. Last amended on 3/19/18</p>	<p>Support</p> <p>Approved: 2/22/18</p> <p>MTC: None CSAC: None League: Watch</p>
AB 3124 Bloom Bus Length: bike racks	6/1/18 Chaptered by the Secretary of State, Chapter 22, Statutes of 2018	<p>Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation an articulated bus or articulated trolley coach that does not exceed a length of 60 feet, and authorizes the bus or trolley to be equipped with a folding device attached to the front of the bus or trolley if the device is designed and used exclusively for transporting bicycles. Existing law prohibits the above-described device from extending more than 36 inches from the front body of the bus when fully deployed, and prohibits a bicycle that is transported on that device from having the bicycle handlebars extend more than 42 inches from the front of the bus.</p> <p>This bill would increase the lengths described in the exemption above from 36 to 40 inches, and from 42 to 46 inches in order to accommodate bike racks.</p>	<p>Support</p> <p>Approved: 2/22/18</p> <p>MTC: None CSAC: Watch League: Watch</p>
SB 760 Wiener (D) Urban street design: guidance	6/4/18 Assembly Transportation Committee Died in Committee	<p>Existing law authorizes Caltrans to issue a permit to the owner or developer of property adjacent to or near a state highway, including the associated right-of-way, to construct, alter, repair, or improve any portion of the highway for the purpose of improving local traffic access, as provided. Existing law specifies that the permit may be issued only if the work within the highway right-of-way is to be performed in accordance with plans and specifications approved by the department.</p> <p>If the improvement would not affect the operation of the state highway and the associated work would be performed in accordance with local agency plans and specifications, this bill would prohibit the department from denying an application for a permit solely because the associated work is not to be performed in accordance with plans and specifications approved by the department. Last amended on 6/4/18</p>	<p>Watch</p> <p>MTC: None CSAC: Watch League: Watch</p>
SB 848 Committee on Budget Indirect Cost Rate Proposal	6/27/18 Chaptered by the Secretary of State, Chapter 46, Statutes of 2018	<p>Caltrans does work on behalf of Self-Help Counties who develop projects on the state highway system, in addition to cities, regional transit and transportation agencies, certain state agencies, and private entities. Caltrans recovers the cost of these services and charges these entities a rate that covers the cost of both administrative and program functional rates. A portion of this rate however is not applicable to the direct costs affiliated with the project in question. These "indirect costs" add as much as 20%-30% to the cost of a project and erode the value of local sales tax revenue that self-help counties bring to the table, while making Caltrans less competitive in securing work.</p> <p>The purpose of this item, which is sponsored by the Self-Help Counties Coalition, is include in the transportation budget trailer bill to cap the indirect costs at 10% for a period of 3 years.</p>	<p>Recommend Support</p> <p>MTC: None CSAC: None League: Watch</p>

TAM Bill Matrix – September

Measure	Status	Bill Summary	Position
SB 1119 Beall (D) Low Carbon Transit Operations Program	8/31/18 Governor's Desk	<p>The Cap and Trade Program dedicates 5% of all auctions proceeds to the Low Carbon Transit Operations Program (LCTOP), administered by Caltrans, which provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Program recipients with service areas including disadvantaged communities, as specified, must expend at least 50% of LCTOP funds on projects or services that meet specified requirements and benefit those disadvantaged communities.</p> <p>This bill would authorize a recipient transit agency to satisfy the above-stated requirement by expending at least 50% of program funds received on transit fare subsidies, specified transit connections, or technology improvements that reduce emissions of greenhouse gases. Last amended on 8/6/18</p>	Support Approved: 2/22/18 MTC: Support CSAC: None League: Watch
SB 1262 Beall (D) Construction Manger/ General Contractor (CM/GC) Procurement Method	8/30/17 /18 Governor's Desk <u>Chaptered by the Secretary of State, Chapter 465, Statutes of 2018</u>	<p>This bill would remove the cap on the number of projects for which Caltrans is authorized to use the CM/GC method and make conforming changes to existing provisions. The bill would impose the requirement to use Caltrans employees or consultants to perform project design and engineering services on at least $\frac{2}{3}$ of the projects delivered by Caltrans utilizing the CM/GC method. The bill would require Caltrans to submit an interim report no later than July 1, 2021, that describes each CM/GC project approved under these provisions as of January 1, 2021, and that provides specified relevant data with respect to those projects, and a final report to the Legislature no later than July 1, 2025, that provides the same relevant data for projects approved under these provisions as of January 1, 2025. The bill would require both the interim and final reports to include a comprehensive assessment on the effectiveness of the CM/GC project delivery method relative to project cost and time savings.</p> <p>Last amended on 8/6/18</p>	Support Approved: 2/22/18 MTC: None CSAC: Watch League: Watch
SB 1328 Beall (D) Mileage-based road user fee	9/4/18 Governor's Desk	<p>Existing law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of the Transportation Agency. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Existing law requires the technical advisory committee to study RUC alternatives to the gas tax and to make recommendations to the Secretary of the Transportation Agency on the design of a pilot program, as specified. Existing law repeals these provisions on January 1, 2019.</p> <p>This bill would extend the operation of these provisions until January 1, 2023. The bill would, in addition, require the technical advisory committee to <i>continue to assess the potential for mechanisms, including, but not limited to, a mileage-based revenue collection system, to use as alternative methods to the existing gas tax system for generating the revenue necessary to maintain and operate the state's transportation system. The bill would, instead, require the committee to gather public comment related to the assessment of those mechanisms.</i></p> <p>Amended on 6/4/18</p> <p>TAM supports the continued effort to gather information, and not necessarily implementation of a mileage-based user fee at this time.</p>	Support Approved: 2/22/18 MTC: None CSAC: Watch League: Watch

TAM Bill Matrix – September

Measure	Status	Bill Summary	Position
SB 1376 Hill (D) Transportation Network Companies: Access for person with disabilities	9/5/18 Governor's Desk	This bill requires the California Public Utilities Commission (CPUC) to develop regulations by January 1, 2019, relating to accessibility for persons with disabilities who use transportation network company (TNC) services and need an accessible vehicle. This bill also requires the CPUC to assess a minimum of a \$0.05 per trip fee on TNCs to fund accessible transportation services for persons with disabilities and conduct workshops with stakeholders to determine community need and develop programs for on-demand services, service alternatives, and partnerships. The bill would sunset on January 1, 2026. Last amended on 8/23/18	Watch MTC: None CSAC: None League: Watch



September 4, 2018

TO: Board Members, Transportation Authority of Marin

FROM: Gus Khouri, Principal
Khoury Consulting

RE: **STATE LEGISLATIVE UPDATE – SEPTEMBER**

On August 31, the legislature concluded its business and adjourned for the FY 2017-18 Legislative Session. Governor Brown has until September 30 to sign or veto legislation. The following is summary of bill of pending bills of interest to TAM:

Legislation of Interest

AB 1184 (Ting) would authorize the City and County of San Francisco to impose a tax on each ride originating in the City and County of San Francisco provided by an autonomous vehicle, whether facilitated by a transportation network company or any other person, or by a participating driver in an amount not to exceed 3.25% of net rider fares, as defined, for a ride and 1.5% of net rider fares for a shared ride, as specified. The bill would also authorize the City and County of San Francisco to set a lower tax rate for net rider fares for a ride provided by a zero-emission vehicle. The bill would require moneys collected by the City and County of San Francisco from this tax to be dedicated to fund transportation operations and infrastructure within the City and County of San Francisco. The bill would require a tax imposed pursuant to this authority to expire no later than November 5, 2045.

Status: Governor's Desk

Background

The San Francisco Transportation Task Force 2045 was created in early 2017 to explore the potential for new transportation revenue measures in San Francisco. The Task Force composes of member representing multiple stakeholders including neighborhood organizations, transportation advocacy groups, business and civil organization and public agencies. The Task Force was tasked with identifying transportation funding needs and gaps in resources; and potential revenue options to close those gaps.

In December 2017, the Task Force issued its final report with recommendations on how to address the city's transportation challenges. The report found that TNCs accounted for an estimated 15% of intra-city trips, and an estimated 20-26% of vehicle trips Downtown during peak periods. On an average weekday, more than 5,700 TNC vehicles operate on San Francisco streets during the peak period. On Fridays, over 6,500 TNC vehicles are on the street at the peak. The report recommended a TNC trip fee as a potential new funding source to help address the city's transportation funding needs.

In April 2018, San Francisco Supervisor Aaron Peskin introduced a local ballot measure to expand the city's commercial gross receipts tax to private transportation companies, such as TNCs. Supervisor Peskin withdrew the ballot measure after reaching an agreement with the TNCs that would only tax the amount that TNCs actually received, excluding additional charges such as tolls, airport fees and tips to drivers. This bill reflects that agreement.

To implement the agreement the City would first need the Legislature to affirm the City's authority to levy local taxes on TNC trips. The California Constitution allows charter cities, such as the City and County of San Francisco, to levy taxes which are not preempted by state or federal governments. It is unclear whether this bill would confer any additional authority to San Francisco beyond what it currently possesses. The measure would then require local voter approval before it would go into effect in 2020 until 2045.

The bill authorizes the City and County of San Francisco to impose a tax on each TNC ride originating in the City and County in a specified amount to fund transportation operations and infrastructure within the City. The fee would also apply to rides provided by AVs, should such vehicles one day become available to provide passenger transportation for consideration, including by TNCs. The funds would be used solely for transportation operations and infrastructure within the City.

Arguably, TNCs would be passing along some or all of the cost on to its riders. Theoretically, since TNC drivers could drive through multiples jurisdiction in any single day, this bill could only increase cost to passengers requesting rides originating in the City. The proponents however argue that TNCs should contribute to the City's transportation costs because of the increasing pressures to the City's transportation infrastructure due to the additional number of vehicles on City roads from TNCs and the impact on ridership for public transportation.

SB 1376 (Hill) would require the California Public Utilities Commission (CPUC) to adopt regulations by January 1, 2020, and assess a 5-cent fee on Transportation Network Company (TNC) companies, such as Uber and Lyft, in order to create a program to provide accessibility for persons with disabilities.

Status: Governor's Desk

Background

Recognizing the need to regulate transportation network companies (TNCs) and their similarities with taxis and charter party carriers (CPCs), The California Public Utilities Commission (CPUC) commenced an ongoing rulemaking to determine the proper oversight and corresponding rules that are needed to regulate this industry. In 2013, CPUC determined that TNCs are a type of CPC, similar to tour buses and limousines, as they provide pre-arranged transportation services. Taxis, on the other hand, need not be pre-arranged and can be hailed from the curb. Taxis are regulated at a local level by cities and counties.

CPUC has previously addressed accessibility for the disabled community by requiring TNCs to submit a plan as to how TNCs intend to avoid creating a divide between able and disabled communities, and to explain how they plan to provide incentives to individuals with accessible vehicles to become TNC drivers. Furthermore, CPUC required TNCs to ensure their apps and websites are as accessible to the disabled as they are to clients who are not disabled.

The author has introduced this bill to motivate CPUC to act on disability access broadly and to provide TNC services to all of the disabled community, particularly those that use wheelchairs.

Providing accessibility to those with special needs can be difficult under the TNC platform because a TNC driver owns his or her vehicle. These vehicles are typically not equipped to transport non-folding wheelchairs or mobility scooters. For these reasons, the bill establishes a pilot program administered by the CPUC, through January 1, 2026, assessing a 5-cent per trip fee on TNCs, which will then be pooled to provide on-demand for persons with disabilities. The difficulty for TNCs is that they will not be able to charge more for the services, meaning that the pot will need to either be used to provide funding to retrofit vehicles (assuming that a driver would agree to have their vehicle altered for that purpose) or be used to contract with other providers that have vehicles with wheelchair lifts.

Supporters of the bill, such as the California Transit Association, argue that “As TNCs capture more riders from taxis and public transit, potentially weakening these services, the mobility challenges faced by persons with disabilities could compound, leading to even more inequitable outcomes.” For these reasons, this bill could provide an opportunity for more symbiotic partnerships between TNCs and transit agencies.

Marin Transit is also in support. There is no opposition on file.