



DATE: July 22, 2021

TO: Transportation Authority of Marin Board of Commissioners

FROM: Anne Richman, Executive Director *Anne Richman*
David Chan, Director of Programming and Legislation

SUBJECT: State Legislative Update (Action), Agenda Item No. 7 - SUPPLEMENTAL

RECOMMENDATION

Staff recommends that the TAM Board adopts positions on new or updated legislative bills, shown on the TAM Bill Matrix (Attachment B) and as updated below.

DISCUSSION

Since the July TAM Board meeting packet was distributed on July 15, 2021, new developments have emerged on several bills noted below:

AB 117 (Beorner Horvath) – AB 117 would require the State Air Resources Board to establish and implement and administer the Electric Bicycle Incentive Pilot Project to provide incentives for purchases of electric bicycles.

In March, the TAM Board adopted a “watch” position but was willing to support AB 117 if the bill was amended to include incentives for low-income households. AB 117 was subsequently amended in May to prioritize incentives for low-income households, which do not exceed 120 percent of the area’s median income. In May 2021, the TAM Board adopted a support position for AB 117.

The Electric Bicycle Incentive Pilot Project has since been included in AB 129 (Supplemental Budget Bill of 2021-21), which has been signed by the Governor into law. AB 129 appropriates \$10 million to the California Air Resources Board (CARB) to implement the Electric Bicycle Incentive Pilot Project by July 1, 2022. Details for the administration of the funding may be subject to CARB guidelines.

For a time, it looked like AB 117 would be amended or would not move forward, and that the proposed incentives would be covered instead by the aforementioned state budget action. However, at present, AB 117 still includes language pertaining to providing incentives to low-income households within a region.

Therefore, staff recommends maintaining the current support position on AB 177 and will now also monitor the state budget funds identified for a similar purpose.

AB 339 (Lee) – AB 339 would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option. Existing law requires that a local official’s address be posted for purposes of providing public comment. This bill requires that addresses must be posted even if participation occurs virtually and that board members must be within the confines of the board’s jurisdiction for the meeting.

The TAM Board adopted a support if amended position on AB 339 if it was amended to allow flexibility to continue to meet remotely, in-person or both simultaneously. Staff supports the continuation of allowing public meetings to be held remotely but opposes the requirements for in-person testimony and local official's address to be posted, particularly if it is a home address, for purposes of providing public comment.

AB 339 has since been amended to apply to cities and counties and not to all public agencies. While the provisions of the bill related to requiring that meetings be conducted both in-person and virtually simultaneously do not apply to TAM, staff is still opposed to the above noted requirements of in-person testimony and address postings of officials.

Staff recommends that the Board maintain the support if amended position on the bill as a general signal that revisions to public meeting requirements could be advantageous, although since the bill no longer would apply to TAM, a watch position could also be appropriate.

AB 149 (Committee on Budget) – AB 149 would provide additional exemptions for the calculation of farebox recovery requirements (FRR) and extends the grace period on meeting those requirements for receiving STA, LCTOP and State of Good Repair funds, through FY 22-23. It also suspends TDA and STA penalties for this duration.

In the TAM Board packet distributed on July 15, 2021, staff asked the TAM Board to consider a support position for AB 149 in the State Legislative Update memo (Item 7), but the Governor signed it into law on July 16, making a position moot.