

Date of Hearing: April 11, 2016

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 2014 (Melendez) – As Amended April 5, 2016

SUBJECT: Freeway Service Patrol Act: workload study

SUMMARY: Requires the California Department of Transportation (Caltrans) to publish a statewide Freeway Service Patrol (FSP) Assessment. Specifically, **this bill**:

- 1) Requires Caltrans, in coordination with the California Highway Patrol (CHP) and local entities, to publish a statewide assessment of the FSP program by June 30, 2018, and every five years thereafter.
- 2) Requires the assessment to:
 - a) Identify, quantify, and analyze existing freeway service patrols and identify opportunities to increase or expand service levels;
 - b) Include an analysis and recommendations regarding the current and anticipated future financial condition of the FSP program, taking into account factors such as operational costs, available funding, and state personnel resources.
 - c) Examine all of the following:
 - i) The financial sustainability of maintaining current FSPs;
 - ii) The route miles unserved or underserved by FSPs; and,
 - iii) Historical, current, and future state and local funding for FSPs.
- 3) Further requires the assessment to include an analysis of public benefits received by the state from existing and potential new FSPs and an assessment of how FSPs relate to other state policies, plans, and goals.
- 4) Requires Caltrans to submit the FSP assessment to the Legislature and Department of Finance, along with a recommendation of the appropriate state funding to meet the needs identified in the program assessment.
- 5) Requires the State Budget to include a line-item within the budget for Caltrans and the CHP to identify the amount of local assistance funding and state operations funding provided in support of the FSP program.

EXISTING LAW:

- 1) Authorizes the establishment of Service Authorities for Freeway Emergencies (SAFEs) in any county upon approval of the county board of supervisors and city councils of a majority of the cities within a county; generally provides that county transportation commissions or councils of governments may be designated as SAFEs.

- 2) Declares that it is the Legislature's intent in authorizing SAFEs to encourage the placement of call boxes along California's freeways and expressways to enable motorists in need of aid to obtain assistance.
- 3) Authorizes SAFEs to impose a \$1 annual fee on vehicles registered within the county to cover the costs of the program; authorizes the use of any revenue derived from the \$1 fee, above that needed to cover the full costs of the call boxes, for additional motorist aid services, including but not limited to the following:
 - a) Changeable message signs;
 - b) Lighting for call boxes;
 - c) Support for traffic operations centers; and,
 - d) Freeway service patrols.
- 2) Provides funding for FSPs upon appropriation in the annual State Budget from the State Highway Account. Local entities are required to provide at least a 25% match.
- 3) FSP funds are distributed by a formula based on the number of urban freeway miles, population, and traffic congestion. In applying for funds, local agencies have to demonstrate at least an overall benefit-cost ratio of 3:1.

FISCAL EFFECT: Unknown

COMMENTS: The FSP is a joint program provided by Caltrans, the CHP, and SAFEs (all SAFEs are administered by a transportation planning agency). The FSP program is a free service of privately owned tow trucks that patrol designated routes on congested urban California freeways. The goal of the FSP is to maximize the effectiveness of the freeway transportation system by expeditiously removing disabled and/or stranded vehicles from the freeway. Each year, the FSP program assists approximately 650,000 motorists on California's highway system.

Removing obstructions on the freeways as rapidly as possible has a positive impact on traffic volumes by eliminating problems that contribute to non-recurrent congestion. Rapid removal of freeway obstructions reduces fuel consumption and minimizes automobile emissions by reducing the time vehicles spend idling in stopped traffic. Currently, over 350 tow trucks operated by CHP-trained, certified and supervised drivers, patrol in excess of 1,750 miles of the most congested freeways in California. Studies have repeatedly shown that FSPs are one of the most cost-effective incident management strategies available.

In introducing AB 2014, the author asserts that existing FSP resources have not kept up with increased demand for this service. She cites an example wherein the Riverside County Transportation Commission sought to add three FSP routes but CHP did not have the personnel available to supervise the new routes because of inadequate funding for the program. The author believes that the assessment called for in this bill will provide a venue for state and local partners to collaboratively maintain institutional focus on sustaining and growing the program appropriately. The author hopes that the assessment will lead to prioritizing FSPs in the State Budget.

As the author correctly points out, state funding for the FSP program has remained flat since 2006. The state annually provides about \$25 million to fund the program, including \$4 million to support CHP functions. CHP uses overtime hours for various law enforcement duties such as investigating tow truck driver-related complaints, ensuring that tow truck drivers are patrolling their assigned beats, inspecting and dispatching tow trucks, and providing continuous training, testing, certification, and supervision of drivers. In addition to the \$4 million reimbursement from Caltrans, CHP spends over \$1 million in additional funds to support the program. Furthermore, local agencies statewide contribute an 85% match to the program, well exceeding the 25% match requirement.

Suggested amendment: Much of the information called for in the assessment proposed in AB 2014 is similar, in part, to an annual report Caltrans commission's from the University of Berkley that assesses the effectiveness of the FSP program, except that the current report stops short of making recommendations for future growth of the program or of reporting needs as identified by partner agencies.

That FSPs provide a cost-effective tool to minimize congestion delays in the most congested corridors is indisputable, and why funding for the program has not been raised in 10 years is puzzling. This bill would bring to light the need and likely benefits of potential new FSPs. However, as prescribed, recommendations included in the assessment could be tempered to represent the interests of the state and not necessarily those of partner agencies. Consequently, the required assessment should be modified to include direct input from these partner agencies.

REGISTERED SUPPORT / OPPOSITION:

Support

Riverside County Transportation Commission (Sponsor)
Automobile Club of Southern California

Opposition

None on file

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