

Date of Hearing: April 8, 2019

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1142 (Friedman) – As Amended April 1, 2019

SUBJECT: Regional Transportation Plans

SUMMARY: Authorizes Metropolitan Planning Organizations (MPO)s, with a population over 200,000, to add additional performance indicators in the regional transportation plan (RTP).

Specifically, **this bill:**

- 1) Authorizes MPOs, with a population over 200,000, to include performance indicators to measure travel by Transportation Network Companies (TNC)s, if appropriate data is available, in the Policy Element of the RTP.
- 2) Authorizes MPOs, with populations over 200,000, to include performance indicators for policies to increase the use of existing transit in the Policy Element of the RTP, including but not limited to:
 - a) Frequency of public transit;
 - b) Parking facilities near existing public transit;
 - c) Microtransit options to supplement existing public transit; and
 - d) Safe facilities for storage of active transportation equipment.

EXISTING LAW:

- 1) Requires California's 18 MPOs and 26 RTPAs to prepare a long-range (20-year) plan, the RTP, which identifies the region's vision and goals and how to implement them.
- 2) Requires MPOs and Regional Transportation Planning Agencies (RTPA) s to adopt and submit an updated RTP to the California Transportation Commission (CTC) and to the California Department of Transportation (Caltrans) every four or five years, depending on air quality attainment within the region.
- 3) Requires California Air Resources Board (CARB) to adopt a statewide greenhouse gas (GHG) emissions limit equivalent to the statewide GHG emissions levels in 1990 to be achieved by 2020 and adopt GHG emissions reduction measures by regulation. Requires CARB to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of greenhouse gases. Authorizes CARB to adopt market-based compliance mechanisms to achieve its goals.
- 4) Requires CARB to adopt a statewide GHG emissions reduction target of 40% below 1990 levels by 2030.

- 5) Requires each MPO to develop a sustainable communities strategy (SCS), as part of its RTP, to coordinate transportation and land use planning to meet the regional target for the reduction of GHG emissions.
- 6) Requires CARB to set regional targets, every eight years, for MPOs for GHG emissions reductions from the automobile and light truck sector for 2020 and 2035. Authorizes CARB to review and update the targets after four years, if needed.
- 7) Requires CARB to work with the affected region on the target setting process and authorizes MPOs to recommend a target for the region.
- 8) Requires an MPO to submit its adopted SCS to CARB for review and acceptance or rejection of the MPO's determination that its SCS will, if implemented, achieve the established GHG reduction targets; provides that an SCS is not subject to any state approval, except for this review.
- 9) Requires CARB to prepare a report to assess the progress made by each MPO in meeting the regional GHG reduction targets set by the board every four years to align with target setting.

FISCAL EFFECT: This bill was keyed non-fiscal by the Office of Legislative Counsel.

COMMENTS: All of California's MPOs and RTPAs are required by federal and state law to conduct long range planning to set forth a clearly identified defined vision and goals for transportation in the region and to ensure effective decision making to further the vision and goals. California currently has 18 federally-designated MPOs and 26 state-created RTPAs. The long range plan, known as the RTP, is an important policy document that is based on the unique needs and characteristics of a region and communicates the regional vision to the state and federal government. The RTP considers a minimum 20-year horizon and should be integrated with local jurisdiction's land use plans. MPOs and RTPAs are required to update the RTP every four or five years, depending on a region's clean air attainment. The CTC develops guidelines that govern the content and requirements for the RTP so that it conforms with both federal and state law.

The RTP should represent a coordinated and balanced regional transportation system including, but not limited to, mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement and aviation. The RTP must contain a Policy Element, which presents guidance to decision-makers of the impacts that will result from implementation of the RTP; an Action Element, which describes the programs and actions necessary to implement the RTP, including a description of the transportation projects proposed to be completed during the RTP plan horizon; and a Financial Element, which identifies the current and anticipated revenue sources and financing techniques available to fund the planned transportation investments described in the Action Element.

Additionally, a major component of the RTP is the SCS. As a part of the strategy to meet the state's climate goals and focus on the transportation sector, the Legislature passed SB 375 (Steinberg) Chapter 728, Statutes of 2008. SB 375 aligns transportation planning, land use and housing to reshape development in communities. SB 375 authorizes CARB to set GHG emissions reduction targets for each of the state's 18 MPO regions. The MPOs work with

CARB, exchanging technical data, to set the targets, including recommending a target for their region.

MPOs are required to adopt an SCS as part of their RTP to demonstrate how their region will meet the target. The SCS sets forth a vision for growth in the region taking into account its transportation, housing, environmental, and economic needs. The SCS should set a development pattern for the region, which when integrated with the transportation network, will reduce GHG emissions from automobiles and light trucks to achieve the targets. If an MPO, through the development of an SCS, determines they will not be able to reach the target, the MPO may develop an alternative planning strategy that identifies the principal impediments to meeting the targets.

Extensive public outreach for the development and approval of an RTP/SCS is required, with workshops, public hearings and meetings with affected city and county officials. MPOs must also complete an environmental impact report (EIR) for the RTP/SCS, as required by the California Environmental Quality Act (CEQA).

SB 150 (Allen), Chapter 646, Statutes of 2017, requires CARB to prepare a report every four years to assess the progress of the MPOs in meeting their regional GHG targets. The first SB 150 report was issued by CARB in December 2018. CARB concluded that California is not on track to meet GHG reductions expected under SB 375. CARB identified challenge areas for SCS implementation and included suggestions on ways to overcome the challenges.

Overall the RTP/SCS contains federal and state requirements for performance measures, targets, and indicators or metrics. Performance measures are used to model travel demand and allow the long-range forecasting of transportation network and system-level performance (e.g. walk, bike, transit, and carpool mode share, corridor travel times by mode, percentage of population within 0.5 mile of a high frequency transit stop). Performance targets are numeric goals established to enable the quantifiable assessment of performance measures. Performance monitoring indicators or metrics include field data such as vehicle miles traveled, mode share, fatalities/injuries, transit access, change in agricultural land, and CO2 emissions.

The Policy Element allows MPOs with a population over 200,000 to consider using performance monitoring indicators to measure plan performance. These MPOs can quantify a set of indicators including, but not limited to, measures of mobility and traffic congestion; road and bridge maintenance and rehabilitation needs; means of travel; safety reliability and security; and, equity and accessibility. The level of detail and qualitative or quantitative nature of the indicators should be determined by modeling capacity and data availability. Additionally, MPOs only need to utilize existing sources of information, and are not required to create new data, such as additional traffic counts.

AB 1142 would add additional performance indicators that MPOs can quantify in the plan. The indicators seek to achieve two different results, but build on the multi-modal approach of the goals of the RTP/SCS. According to the author, “recent studies show that California will not meet its climate goals from the transportation sector. AB 1142 addresses gaps in California’s strategies to reduce transportation emissions by requiring RTPs to measure: (i) trips made by TNCs, such as Uber and Lyft, and (ii) community policies that can help increase the utilization of public transit.”

As the author notes, this bill authorizes MPOs to develop measures for two new areas. The first would add Transportation Network Companies (TNC)s to the means of travel measures as part of the set of performance indicators. Currently, as noted above, the indicators are measurements of the percentage of trips, work and non-work, made by various modes, including single-occupant vehicles, multiple occupant vehicle or carpool, public transit, biking, and walking. Adding TNCs would update the current indicators to the reality of today's multi-modal system.

The difficulty with including this measure into the RTP/SCS is the lack of data regarding the use of TNCs. The California Public Utilities Commission (CPUC) regulates TNCs and requires data reporting by TNCs. However, currently, the CPUC does not share these data with local jurisdictions and the public. The CPUC, which regulates TNCs due to the inter-city, non-hail nature of the service they provide, requires TNCs to report to the CPUC an extensive set of information on service provision including where and when trips are starting and ending, the availability of disabled-accessible vehicles, traffic incidents, and hours and miles logged by drivers. To date, CPUC has refused to share these TNC data with local jurisdictions and research institutions.

This so-called data-gap was highlighted in the SB 150 report where CARB notes that TNCs offer great promise in a transition to a low-carbon transportation system, "optimizing the linkages between ridesharing, ride hailing, and transit services could reduce vehicle miles traveled by offering better travel choices to those without cars or who do not drive, address first mile/last mile concerns for public transit, as well as helping to facilitate pooling." However, they also expressed concerns that TNCs could be replacing transit and cycling/walking trips. To that end, CARB recommends more research and policy development in this area, but notes that, "CARB heard from a number of MPOs and other stakeholders that much more remains to be done, with the largest challenge being lack of data and authority or jurisdiction over new service providers and land use allocation." CARB suggested the next step would be to partner with CPUC on this issue.

Currently, CPUC is in the final stages of a proceeding regarding the collection and sharing of TNC data. Specifically, the CPUC proceeding is looking to answer the questions of: should CPUC establish a website portal for TNC data, and should CPUC share TNC trip data with interested California government entities? CPUC is requesting comments from the public regarding these questions noting that, "the comments requested by this ruling are intended to develop a more comprehensive record to address the interest from governmental entities in the obtaining and analyzing TNC trip data."

AB 1142 would also add numerous public transit performance indicators that MPOs can quantify in the plan. Currently, MPOs quantify measures such as the percentage of people served by frequent and reliable public transit, and percentage of all jobs accessible by frequent and reliable transit service. These can be broken down by income bracket as well. AB 1142 would add a measure of polices to increase the use of existing transit, including parking facilities near public transit; microtransit, or transit on demand, options to supplement existing transit; and the amount of safe facilities for storage of active transportation equipment.

In recent years there has been a steady decline in public transit ridership. A recent study by the University of California Institute for Transportation Studies on falling transit ridership in Southern California noted that transit ridership in the southern California area has been mostly declining since 2007 and have fallen consistently since 2013. In fact, four of the largest Los

Angeles area transit providers accounted for 88% of the state's ridership losses between 2010 and 2016. There are many factors in the continual decline of public transit ridership. This bill would allow MPOs to consider policies to help increase use of existing transit as part of their already robust policy discussion of public transit needs in their regions. The data developed directly contributes to MPO's policy recommendations to their governing boards on how the RTP/SCS can be successful.

Committee comments: As TNCs and other new mobility options become the norm as part of our state's transportation network, having decisions on future transportation and growth projects based on quality, available data is paramount. Local jurisdictions are currently working on data sharing arrangements with bike share and scooter companies, such as Jump, to better understand people's use of these modes and how they are impacting public transit and single-occupancy car trips. As the regulator of these entities, locals have the ability to negotiate data sharing as part of operating agreements. This is not the same for TNCs as they are regulated by CPUC. Having access to similar data from TNCs can only enhance the planning process and contribute to informed decisions by policy makers.

Previous legislation: SB 150 (Allen), Chapter 646, Statutes of 2017, requires CARB to prepare a report every four years to assess the progress of the MPOs in meeting their regional GHG targets.

SB 375 (Steinberg), Chapter 728, Statutes of 2008, aligns transportation planning, land use and housing to reshape development in communities to help achieve the state's climate goals by requiring ARB to set regional targets for GHG emissions reductions from passenger vehicle use.

REGISTERED SUPPORT / OPPOSITION:

Support

Local Government Commission (*letter submitted for the February 21, 2019 version of the bill*)

Opposition

None on file

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