

Date of Hearing: April 12, 2021

ASSEMBLY COMMITTEE ON TRANSPORTATION
Laura Friedman, Chair
AB 744 (Rodriguez) – As Amended April 5, 2021

SUBJECT: State highways: State Route 83: reduction

SUMMARY: Authorizes the California Transportation Commission (CTC) to relinquish to the City of Ontario all or a portion of State Route 83 within the city's jurisdiction.

EXISTING LAW:

- 1) Defines a "state highway" as any roadway that is acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.
- 2) Statutorily identifies state highway system routes.
- 3) Specifies that it is the intent of the Legislature that the prescribed routes of the state highway system connect communities and regions of the state and that they serve the state's economy by connecting centers of commerce, industry, agriculture, mineral wealth, and recreation.
- 4) Allows the relinquishment of portions of state highways to local government control.
- 5) Relinquishes former portions of SR 83 from Route 71 to Route 10 near the City of Upland.

FISCAL EFFECT: Unknown.

COMMENTS: Relinquishment is defined as the statutory conveyance of all rights, title, interests, liability, and maintenance responsibilities of a state highway, or portion thereof, to another government entity, according to the California Department of Transportation (Caltrans) 2018 Project Development Procedures Manual. California Streets and Highways Code, Section 73 authorizes relinquishment of transportation facilities to cities and counties by the CTC. The relinquished facilities become city streets or county roads. Section 73 identifies four types of relinquishments: legislative enactment, superseded by relocation, collateral facility, or a nonmotorized transportation facility.

Each session, numerous bills authorizing the relinquishment of segments of state highways to local jurisdictions are passed by the Legislature and signed by the Governor. Relinquishment transactions are generally preceded by a negotiation of terms and conditions between the local jurisdiction and Caltrans. Once an agreement has been established, the Legislature can delete the portion of a highway from the Streets and Highways Code or authorize CTC to relinquish the segment. The CTC then approves the relinquishment and verifies its approval via resolution. The relinquishment takes effect only after CTC approval and a certified copy of the relinquishment resolution is recorded in the county office of the recorder.

This bill is consistent with Caltrans' policy encouraging the relinquishment of state highways that do not serve regional or statewide transportation needs. Recipient agencies often seek relinquishment of state highways so that they can have greater control over the facility, which often serves as a local street.

SR 83, also known as Euclid Avenue, is the major 8 mile North-South route within the city limits of Ontario (city). Currently controlled by Caltrans, SR 83 is directly located in the heart of Downtown Ontario. This presents several problems for the operation and maintenance of the corridor, as well as the economic development plans of the City.

Due to the current status of SR 83, the City must request permission from Caltrans for any type of encroachment including planned improvements, maintenance, and operational needs along the corridor. This adds an additional layer of complexity to projects scheduled by the City; increasing costs and potentially delaying work necessary along Euclid Avenue. For example, the City is required to enter into agreements with the state to accomplish simple tasks such as landscaping activities along Euclid Avenue's center median. Engaging in contract negotiations every time work is required along the route inhibits the provision of quick and expedient services to the City's residents.

Furthermore, the City of Ontario is currently implementing a number of improvements to its downtown. According to the City, the plans to reinvigorate the area will be a catalyst for greater economic development along the West Valley region of the Inland Empire. The current permitting process could delay the economic development of the City, postponing potential new jobs and housing opportunities.

According to the author, "AB 744 would allow Caltrans to transfer all rights of SR 83 to the City of Ontario. This would permit the City to provide services to its residents more quickly and expand its economic development plan without the potential delay of permitting processes."

In support, the City of Ontario writes, "Allowing for the relinquishment of SR 83 will provide the City the opportunity to fully access the potential of the downtown corridor in a strategic and efficient manner."

Previous legislation: SB 1318 (Transportation), Chapter 491, Statutes of 2010 makes non-controversial changes to sections of law relating to transportation and housing, including cleaning up a number of old relinquishment statutes so that they conform to the standard format.

AB 2172 (Petrie-Norris), Chapter 126, Statutes of 2020 allows the CTC to relinquish a portion of SR 133 to the City of Laguna Beach.

SB 921 (Dahle), Chapter 82, Statutes of 2020 allows the CTC to relinquish a portion of SR 174 to the City of Grass Valley.

SB 1459 (Caballero), Chapter 83, Statutes of 2020 allows the CTC to relinquish a portion of SR 183 to the City of Salinas.

AB 1456 (Kiley), Chapter 629, Statutes of 2019 authorizes the CTC to relinquish a portion of SR 193 to the City of Lincoln within its city limits.

REGISTERED SUPPORT / OPPOSITION:

Support

City of Ontario (Sponsor)

Opposition

None on file

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