

South Bay Cities Council of Governments

January 28, 2016

TO: SBCCOG Board of Directors

**FROM: Jacki Bacharach, SBCCOG Executive Director
Steve Lantz, SBCCOG Transportation Director**

RE: SBCCOG Transportation Update – December 2015

Adherence to Strategic Plan:

Goal A: Environment, Transportation and Economic Development. Facilitate, implement and/or educate members and others about environmental, transportation and economic development programs that benefit the South Bay.

FOLLOW THE MONEY...

FEDERAL

President Signs FAST Act, First Long-term Transportation Bill in 10 Years

After 36 short term extensions of MAP-21, the prior federal transportation authorization legislation, President Obama signed the Fixing America’s Surface Transportation (FAST) Act into law on December 4th, marking the first long-term transportation bill passed by Congress in a decade.

The 1,300-page law authorizes federal surface programs through fiscal year 2020 and provides \$305 billion for roads, bridges and mass transit. The FAST Act increases funding for rail and bus transit by 20 percent, providing \$13 billion over five years. In its first year, the authorization increases spending on highways by \$2.1 billion above current levels. By the final year, in 2020, the bump will be \$6.1 billion above the approximately \$50 billion that has been spent in recent years. Over the bill’s five-year life, California will get \$26 billion in federal funds for a variety of transportation projects, a 14.5 percent increase. The annual amount of federal transportation spending is limited by a combination of the five-year authorization and annual appropriations.

FAST generally continues the federal transportation policy of the last 10 years by authorizing small initial increases for both highways and transit and then raising authorization levels annually at the pace of inflation. The Transportation Alternatives Program —funding for walking and biking — was the only program that was capped with no built-in adjustment for inflation.

Instead of securing a stable, adequate source of dedicated revenue for the Highway Trust Fund, Congress chose to postpone resolving the long-term political issue of increasing fuel taxes. A five-year funding hole of roughly \$70 billion will be patched from a variety of other sources including: \$53.3 billion from a Federal Reserve bank surplus; nearly \$7 billion from reduced

bank dividends that are paid to banks who are members of the Fed; \$6.2 billion from the sale of federal oil reserves; \$5.2 billion from U. S. Customs fees; and \$2.4 billion from privatizing some IRS tax collections.

FAST also includes new flexibility in road design choices for local jurisdictions that are lead agencies on projects that include federal funds. In the past, metro area planners had to follow the design standards used by state planners, particularly for projects that involved federal funding. For instance, if a city wanted to narrow the lanes of a particular road from 12 to 10 feet, for instance, it often could only do so with the state's blessing.

FAST requires State DOTs and metropolitan planning organizations (MPOs) consider all users of the roadways when designing and building projects that use federal funds. Under the FAST bill, in federally-funded projects where city officials are taking the lead, planners will be able to use a street design manual that differs from the state's official road design publication, provided that manual is approved by the Federal Highway Administration. This theoretically frees cities to design streets more friendly to bikes, pedestrians, and transit users using other design manuals such as the Urban Street Design Guide put out by the National Association of City Transportation Officials (NACTO).

FAST makes transit-oriented development projects eligible for the popular federal low-interest TIFIA and RRIF financing programs and reduces the minimum size of a project that is eligible for the federal financing from \$50 million to \$10 million. However, offsetting the expansion of TIFIA loan eligibility is a cut in the program's total funding from \$1 billion in fiscal 2015 to \$275 million in each of the first two years: \$285 million in year three and \$300 million in each of the last two years of the FAST authorization period.

The new law also provides the first-ever dedicated federal funding for freight by creating two funding pots: a discretionary grant program with \$800 million in the first year, rising annually with inflation to \$1 billion in 2020, and a new formula program for State freight projects, with \$1.15 billion in the first year rising to \$1.5 billion in 2020.

The maximum federal match for the popular Federal Highway Administration New Starts grant program has been cut in the FAST Act from 80% (or 90% for Interstate, toll and HOV projects) to 60% percent. The reduction brings the federal share of highway project funding closer to the Federal Transit Administration policy that limits the federal share of transit projects to a 50% maximum match. This change may have a significant effect on the Metro Long Range Transportation Plan highway program assumptions.

Other key provisions of the FAST Act will:

- Speed up federal approvals of projects;
- Enable more innovative infrastructure financing;
- Improve coordination of public transportation services with other federally-assisted transportation services to aid in the mobility of seniors and individuals with disabilities;
- Prevent rental car companies from keeping cars in operation that are subject to recalls until the necessary fixes are made;

- Increase the maximum fine that federal regulators can impose on auto manufacturers that fail to quickly report safety defects from \$35 million per incident to \$105 million per incident;
- Require the Government Accountability Office to assess the status of federal autonomous transportation technology policy; and,
- Commission a study to set a national impairment standard for drivers caught operating a vehicle under the influence of marijuana.

STATE

California's 85,000 Green Carpool Lane Stickers Have All Been Issued

If you are thinking of buying a plug-in hybrid car and getting that coveted green carpool sticker to cruise solo in carpool lanes, you are too late. California has issued all of the 85,000 stickers approved by the California Legislature. However, the Department of Motor Vehicles will continue to accept applications for a waiting list in case the cap is once again raised. There is no limit on white carpool stickers for electric cars or those running on compressed natural gas.

In the San Francisco Bay Area, where the green stickers are most popular, the Metropolitan Transportation Commission is opposed to increasing the cap, saying that increases in the allotment hurt efforts to encourage carpooling and get more cars off the road. They also fear that another increase in the cap would hurt efforts to get motorists to pay to drive in express lanes. "... (W)e should not be giving single-occupant vehicles free access to the region's HOV lanes," MTC executive chief Steve Heminger wrote in a memo. "If left unchecked this program has the potential to undermine the viability of the region's express lane network, a core element of the Bay Area's strategy for improving highway mobility."

New California Transportation Laws Effective January 1, 2016

Here are six transportation-related California laws enacted in 2015 that took effect on January 1st:

SB 491 - Earbuds or Headsets can't be worn while driving a vehicle or a bike. The prohibition does not apply to persons operating authorized emergency vehicles, construction equipment and refuse or waste equipment while wearing a headset or safety earplugs.

AB 8 – A new “Yellow Alert” notification system, starts for specified hit-and-run incidents resulting in death or serious injury. As with AMBER, Silver, or Blue Alerts, the CHP will work with requesting law enforcement agencies to determine whether the hit-and-run meets the criteria for a Yellow Alert, including the use of the freeway Changeable Message Signs (CMS).

SB 61 – Extends the sunset date through July 2017 for a requirement that all DUI offenders in Alameda, Los Angeles, Sacramento, and Tulare counties install Ignition Interlock Devices on their vehicles to protect the public from drunk drivers.

AB 604 – The law requires riders of electrically motorized boards (“hoverboards”) to be at least age 16 and wear a helmet. The law also allows hoverboards to be used wherever bicycles are permitted and establishes maximum speed limits for hoverboards of 15 mph on sidewalks, paths, or trails and 35 mph on the street. Local governments and other agencies can enact further

regulations restricting use of the boards in public.

AB 1222 – Requires tow truck businesses to obtain and maintain proof they were actually summoned to the scene and to provide it to law enforcement at each tow site, as well as make it available for inspection for the next three years. The bill also caps towing and storage fees and requires tow truck operators, prior to attaching a vehicle, to provide the owner with a detailed estimate of charges and services to be performed.

AB 1461 – Under the California New Motor Voter Act, anyone who is a California resident and eligible to vote that applies for (or renews) a California driver's license or a California Identification Card at the Department of Motor Vehicles will automatically be registered to vote. The program includes the ability for an applicant to opt out.

REGION

Metro Launches 2 New Silver Line Express Lines To San Pedro

A new Metro Silver Line express bus service expansion launched on December 14th aims to make it easier for commuters traveling between downtown Los Angeles and San Pedro. Called 950X, the new route will take about an hour end to end and will save commuters up to 20 minutes a trip compared to driving on Express Lanes during the week on the 110 Harbor Freeway. The cost to ride is \$2.50 one way.

Another line, the Silver Line 910, will travel every half hour the same route every day, but it will have more stops and be available to riders at night, on weekends and during off-peak hours. As part of the launch, the Battleship Iowa Museum will offer free admission to Metro riders from now through Jan. 31.

LYFT Is The First TNC Allowed To Pick Up Customers At LAX

Beginning December 23rd, Lyft became the first transportation network company (TNC) authorized to pick-up customers at LAX. Under an agreement with the City of Los Angeles, LYFT is allowed to pick up passengers on the upper departure level of LAX. LYFT and other transportation network companies, such as UBER, who successfully complete the application process will pay the airport \$4 per trip, while following rules to reduce congestion in the central terminal area. The TNCs have previously been restricted to dropping off customers at the terminals.

Sidecar, one of the three original TNCs in addition to Uber and Lyft, announced on December 29th that it would be shuttering its services on December 31st to develop its future strategic direction.

SCAG Releases 2016 Draft RTP/SCS For Public Comment

On December 3rd, the Southern California Association of Governments (SCAG) released the draft 2016 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) for public comment. There will be a 60-day public comment period beginning on December 3 and ending on February 1st. In addition to the traditional mobility improvements, the plan includes a

significant evolution in policy that reflects funding policy changes at the state and federal level. The draft plan calls for:

- Doubling the amount of investment in active transportation compared to the 2012 plan, from \$6.7 billion to \$12.9 billion. The total dollar amount of the RTP/SCS is \$555.6 billion about 2% of the overall budget, up from 1.3% in the 2012 RTP/SCS.
- Creating regional bikeway and greenway networks to connect the region with bicycle trails and facilities.
- Adding a short trips strategy to encourage more trips under three miles by walking and bicycling. Approximately 38% of all trips in the six-county SCAG region are under 3 miles, yet 78% are made by driving.
- Committing to a goal of 50% of communities having Safe Routes to School plans by 2040.
- Adding a Public Health Appendix to the RTP/SCS for the first time which analyzes how physical activity, chronic disease rates, air quality and other public health outcomes would fare under different land use and transportation scenarios.
- Creating a list of Guiding Principles and Strategies for Public Health
- Identifying performance measures related to both active transportation and public health that seek to improve safety and increase mode share of walking and bicycling.
- Enhancing the Environmental Justice Appendix with new data and deeper analysis on affordable housing, gentrification, displacement, active transportation safety and air quality in low income and communities of color.

Private Sector Partnerships Emerging To Build Self-Driving Cars

Google and Ford will announce at the Consumer Electronics Show in January 2016 that they have created a joint venture to build self-driving vehicles with Google's technology. By pairing with Ford, the search-engine giant avoids spending billions of dollars and several years that building its own automotive manufacturing expertise would require.

The Google / Ford venture would be legally separate from Ford, in part to shield the automaker from liability concerns. Volvo said it would accept responsibility for crashes in autonomous mode, a pledge followed by Google and Mercedes-Benz. Most major automakers and several auto parts suppliers are developing their own self-driving controls as well, with a few—Nissan, Volvo and Mercedes-Benz among them—promising advanced vehicles for customer sales by 2020.

Bloomberg reported in early December that Google's parent firm Alphabet would move the self-driving car business under its own unit, with a goal of eventually launching a taxi or car-sharing service in urban areas that would compete with Uber and others. The company has tested its systems with modified Lexuses and custom-built, low-speed electric cars assembled by Roush Industries, a Ford supplier. Ford executives have been clear for several years that the company was ready to embrace a future where cars were sold as on-demand services. Ford CEO Mark Fields has repeatedly said Ford was thinking of itself "as a mobility company," and what that would mean for its business.

Uber and Google are vying to become ride service platforms of the future. Uber has advantages — for one, its name is becoming the verb for ride-hailing, the way Google’s has for search. But Google has the mobile platform, the lead in self-driving technology, deeper pockets and long-standing data sharing agreements with the local governments that will need to approve the operations of autonomous vehicles on public streets.

This close relationship is due to Waze, the mapping startup Google bought in 2013, which has invested heavily in building data-sharing agreements with cities around the world. If autonomous cars are going to work, there needs to be real-time coordination of data between governments and private companies. Before you can hail a self-driving car, there’ll likely need to be a host of things (designated lanes, re-zonings, ordinances) that let it drive itself. In its program, called the Connected Citizens Program, Waze hands over info reported by its users, like accidents and road closures, to urban governments free of charge every two minutes. Cities use the data to evaluate traffic flows and safety.

California DMV Limits Autonomy Of Driverless Cars

The California Department of Motor Vehicles (DMV) has divided the development of the autonomous vehicles regulations into two phases – testing and deployment. The testing regulations that became effective in September 2014 identify the requirements that manufacturers must meet in order to test autonomous vehicles on California public roads. Draft deployment regulations issued on December 16th establish the requirements that general public operators and manufacturers must meet in order to operate autonomous vehicles on public streets in the state.

An operator of the autonomous vehicle must be a licensed driver who possesses an autonomous vehicle operator certificate issued by the DMV. The proposed regulations thwart a few proposed uses for autonomous vehicles that leaders in the field have been talking about for years, one of which is using the vehicles to provide personal transport for people who have long had a difficult time using it — the blind, the young and the elderly, for example. The exclusion of fully autonomous cars also stands in the way of the concept of car hailing — that is, the ability to pay for a driverless vehicle that zips about from person to person without wasting as much time sitting idle in a parking lot.

California DMV staff said that the department’s initial regulations don’t allow for that level of autonomy because of safety concerns. Regulators don’t believe fully autonomous cars have been through enough testing on public roads. Future regulatory changes will be considered once the technology is more service proven and mature.

The draft regulations also:

- Place responsibility for traffic violations — even while the vehicle is driving itself — in the hands of the car’s operator.
- Call on AV manufacturers to earn safety and “behavioral competency” certifications from third-party testing companies. The state is asking researchers at the University of California, Berkeley, to conduct a peer review to come up with specific components of behavioral competency tests that will show a vehicle’s ability to respond to hazards and drive under normal conditions.

- Require manufacturers to obtain driver permission for any information they collect.
- Mandate that vehicles have the ability to detect cyberattacks and hand over control to the driver in the case of a security breach.
- Ask manufacturers to submit monthly reports on performance, safety and usage data to the DMV.
- Require manufacturers to apply for a new permit every three years.

If the regulations are finalized as written currently, Google, Uber, and other autonomous vehicle manufacturers would likely continue testing their driverless cars in other states.

Redondo Beach Bike Lane One of America's Ten Best New Bike Lanes of 2015

Bicycling Magazine has honored Redondo Beach for its Harbor Drive bike lane as one of the magazine's top ten 2015 bike lane projects in the nation. The project ranked 9th of about 80 projects that the magazine reviewed.



Photo: Rock Miller.