

South Bay Cities Council of Governments

June 25, 2015

TO: SBCCOG Board of Directors

FROM: Steve Lantz, SBCCOG Transportation Director

RE: SBCCOG Transportation Update – June 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

Federal Transportation Tax Reauthorization Kicked Down The Road For 33rd Time

For the 33rd time, Congress extended MAP-21 over the Memorial Day weekend rather than substantively addressing the long-term transportation funding needs of the nation. The extension of the current Highway Trust Fund authorization was approved through July 31, 2015 which is approximately when currently authorized funding will be depleted. The extension bill contains no additional funding.

The Highway Trust Fund relies on an 8.4-cents-per-gallon gas tax federal gas tax that hasn't been hiked since 1993, and it no longer keeps up with current transportation spending. The federal government has been spending about \$50 billion per year on transportation projects, while the gas tax only collects about \$34 billion.

Congress has not passed a transportation package lasting more than two years since 2005. House GOP leaders originally wanted to renew the Highway Trust Fund through the end of the year. But they have been unable to agree how to fund the \$10 billion necessary to cover the cost through that timeframe let alone how to provide a stable source of gas tax to re-authorize the federal transportation program for 5-6 years. Republicans are hoping to link the next Highway Trust Fund extension with a package of federal tax reforms but Democrats are skeptical that a tax reform package can be completed within the next two months. So another extension of MAP-21 is likely in August.

Ray LaHood, a former Transportation Secretary in the Obama Administration and a former Congressman, said on May 19th that Congress is eventually going to have to come to grips with the fact that the 18.4 cents-per-gallon gas tax is insufficient to pay for the nation's transportation infrastructure needs. He noted, "People are driving less and they're driving more fuel efficient cars. The idea that people are driving more hybrids, the idea that lots of people are using mass transit, more than ever before, means that the Highway Trust Fund is not getting the resources that it once did to maintain the federal highway system,". LaHood, a Republican, did not

endorse the idea of raising the gas tax until he left the Obama administration. He said repeatedly when he was at the helm of the transportation department that it was up to Congress to figure out how to pay for a long-term transportation funding solution. In supporting the idea of raising the gas tax 10-cents a gallon, La Hood noted, “We need a strong six-year transportation program, well-funded. If you raised the gas tax 10-cents a gallon and indexed it to the cost of living, you raise about a billion additional dollars a year. That would be very helpful.”

Senator Deb Fischer (R-Neb.) on May 12th introduced legislation called the “Build USA Act” to create a national infrastructure bank through which the federal government would loan states funding rather than providing federal grants for “core infrastructure projects”. Fischer said her bill to create an infrastructure bank would be a more viable solution to the transportation funding shortfall than increasing gas taxes by reducing federal regulatory requirements associated with the grants and providing states with more authority to manage their highways and bridges.

Representative Earl Blumenauer (D-Ore.) is seeking to pass legislation that would block Congress from passing legislation for temporary short-term extensions beyond September 30, 2015. Future extensions would have to be for six years or longer. He reasoned, “If we extend the program into the next fiscal year, it is nearly certain that Congress will be unable to pass a long-term bill before mid-2017. We all say we want a long-term bill. My amendment would force Congress to return to regular order and pass the six-year bill America deserves by the end of September.”

FHWA Releases Bike Lane Planning and Design Guide

To celebrate National Bike Month, the Federal Highway Administration (FHWA) on May 18th announced the availability of its new Separated Bike Lane Planning and Design Guide. The [FHWA guidance](#) is the result of two years of research into numerous modern protected bike lanes around the country, in consultation with a team of national experts.

FHWA’s guide outlines planning considerations and design options for one and two-way facilities, outlines different options for providing separation, and highlights midblock design considerations including driveways, transit stops, accessibility, and loading zones. Intersection design is also taken into consideration, including the related operations, signalization, signage, and on-road marking concerns. The Guide includes case studies from around the nation.

Uber Sued for ADA Violations; Firm Claims Disability Laws Don’t Apply

In three Americans With Disabilities Act-related cases over the past eight months, in California, Texas, and Arizona, Uber has been sued with allegations that the company discriminates against blind and wheelchair-using passengers. The suits demand Uber abide by the ADA, but Uber claims that because it’s a technology company, not a transportation service, it doesn’t fall under the ADA’s jurisdiction.

The Americans with Disabilities Act was voted into law in 1990 to ensure equal rights and prevent discrimination of people with disabilities. Under the ADA, transportation providers are required by law to accommodate wheelchair users if the equipment can fit in their car. Activists say Uber and other ride-sharing applications like Lyft and SideCar, called Transportation Network Companies, have abused a gray zone they operate in between ride-hailing tech facilitation of the ride and actually providing the ride. Without clear federal regulation or oversight, the disability-rights movement is urging the courts and lawmakers to provide clarity.

Uber is defending its exemption from ADA by claiming it is not a taxi service, does not employ drivers, does not have a fleet of cars, and is not a public service. Uber describes its drivers as independent contractors, and says it therefore is unable to control their actions. Uber claims it

does not have the legal or contractual duty to control compliance with the law. Instead, there's a voluntary training where drivers are told they must serve customers with wheelchairs or guide dogs. Uber's Code of Conduct notes that violating laws pertaining to transporting disabled riders "constitutes a breach of the parties' licensing agreement."

A judge has denied Uber's motion to dismiss the lawsuit. Taxi services provide accessible vans in accordance with piecemeal local ordinances rather than a blanket federal law. And with drivers switching from taxi cabs to their own vehicles with the rise in ride-sharing programs, in San Francisco, a quarter of the ramp-equipped taxis are sitting unused because of a lack of drivers.

STATE

California Senate Ponders State Gas Tax Increase

Sen. Jim Beall, D-San Jose, introduced Senate Bill 16 on May 25th, which seeks to raise at least \$3 billion annually for transportation to start cutting into the state's \$59 billion backlog of roadway maintenance. The state's 48.6-cent gas tax -- the backbone of the state's transportation budget -- is the second highest in the nation, after Pennsylvania. But the current gas tax revenue covers only a quarter of the state's annual highway repair needs. If California does end up hiking the gas tax, it would join 18 other states and the District of Columbia that have done so since 2012.

The bill would boost the state gas tax by 10 cents per gallon, increase the vehicle license fee by 0.07 percent annually each of the next five years, raise the vehicle registration fee by \$35 and start charging owners of electric cars and other zero-emission vehicles \$100 annually. Most of the money would fund repairs on state roadways, but some would go directly to cities and counties. Beall's plan would also return the \$1 billion generated annually in truck weight fees to the transportation budget. The money currently goes into the general fund.

To reach the governor's desk, Beall's plan must win approval from two-thirds of lawmakers in both the Assembly and the Senate. He'll need GOP support now that the Democrats have lost their supermajorities in both houses.

Caltrans Report Projects 10-Year Highway Maintenance Funding Shortfall

A planning report released by Caltrans on May 11th estimates California needs an additional \$5.7 billion per year to maintain its roads over the next decade. Only \$2.3 billion annually has been budgeted to meet about \$8 billion in annual needs.

There are more than 50,000 state highway lane miles and more than 13,000 bridges across the state. The report estimates that only 59 percent of all state highway lane miles are in good condition. A quarter of lane miles needed preventative maintenance treatment, and roughly 16 percent were distressed and needed major rehabilitation.

REGIONAL

Metro Board Funds Next Steps on Rail To River Active Transportation Corridor

Last October, the Metro Board of Directors approved \$2.85 million to prepare a Rail to River Intermediate Active Transportation Corridor (ATC) Feasibility Study and directed staff to identify funding for full implementation of the project. At the May 28th Board meeting, the

Metro Board approved taking the next steps of applying for grants from the federal Transportation Investment Generating Economic Recovery Discretionary Grant (TIGER) program and the state Active Transportation Program (ATP) program.

Sited along an 8.3 mile section of the Harbor Subdivision Transit Corridor right-of-way (ROW), the bike and pedestrian path project will eventually connect the Crenshaw/LAX rail line to multiple bus lines (including the Silver Line), the Blue Line, the river, Huntington Park, Maywood, and/or Vernon using the railroad right-of-way adjacent to Florence Ave and Slauson Ave. The staff report estimated the total project development cost including the ROW easement acquisition and constructions at approximately \$76.6 million.

To fund Phase 1 of the project, a 3.6 mile segment of the corridor running from Long Beach Ave. on the east to the Crenshaw/LAX Line on the west, Metro will apply for a \$9.6 million ATP grant that would require a Metro local match of \$2.4 million. The Phase 1 segments are set to be tackled first using the state funds since Metro already owns the right-of-way and because, if funding is secured, the project could be completed by 2022. The TIGER grant would be used to cover the costs of Phase 2 (below) of the project — a 6.2- mile segment running between Long Beach Ave., on the west, and the L.A. River (or, potentially, Malabar Yards), on the east — as well as any costs for the Phase 1 segments not covered by the ATP grant.

Although both phases of the project will be implemented concurrently, the Phase 2 segment is expected to pose more of a challenge, as Metro will have to negotiate with at least one railway to get them to abandon their operating rights and sell the ROW or an easement to Metro. The acquisition process could take up to a decade to complete.

L. A. Metro Poll Shows Sufficient Support For November 2016 Transportation Tax Hike

More than two-thirds of Los Angeles County likely voters would support raising the county sales tax by a half-cent, according to a poll conducted in March for L. A. Metro. The agency is exploring placing a measure on the November 2016 general election ballot that would extend Measure R for 20 years past its current 2039 expiration date and augment the current one-and-one-half-cents cumulative countywide transportation sales tax revenues (from Propositions A and C, and Measure R) with an additional ½-cent increase in the current sales tax rate.

If a new measure were approved with both the extension and augmentation, the sales tax rate in L. A. County would rise to 9.5% and be collected through 2059. The measure would need to be supported by 66.67% of voters throughout L. A. County voters to pass.

The combined revenue from the “augment and extend” taxation measure proposal tested could increase currently projected L. A. County transportation sales tax revenues by \$120 billion over 40 years. If the new measure were structured similar to the current Measure R, the South Bay would be allocated approximately \$1.5 billion for sub-regional improvements in augmentation funds between 2018 and 2057 and \$845 million in Measure R extension funds between 2039 (when Measure R expires) and 2057. Neither Proposition A nor Proposition C has an expiration L. A. Metro paid for an initial poll in March 2015 to test the importance of numerous potential features of the potential tax.

The poll results were tabulated on a countywide and sub-regional basis. The firm that conducted the polling grouped the investment choices into three categories: local street and road improvements; freeway and highway improvements; and local and regional light rail and bus transportation improvements. Likely voters across the county chose as their highest priority

improvements to local roads (35%) followed by freeways (27%) and bus/rail public transportation (24%). Based on these results, the firm concluded that a successful measure must include funds for all three categories.

It is interesting to note the poll's differences in priority between South Bay likely voters and countywide likely voters. The polling analysis highlighted relatively high rankings for a long list of features that might be included in a sales tax measure. Although there were significant differences in South Bay and Countywide percentages for specific measures that may affect the measure advocacy messaging in the South Bay, only three features scored above the Countywide threshold (67% countywide) but failed to reach the threshold with South Bay voters. And only two of the features that exceeded the threshold in the South Bay failed to exceed the Countywide.

The following list notes the percentage responses that indicated the feature was Very Important and Important to be included in a sales tax measure. (Percentage is reported for both the South Bay / Countywide in order of decreasing importance for South Bay voters):

- Preventing polluted toxic roadway runoff from entering storm drains and flowing into creeks, rivers, coastal waters and onto County beaches (82% / 79%)
- Improving freeway safety (82% / 70%)
- Earthquake retrofitting of bridges and tunnels (81% / 81%)
- Improving safety on buses and light rail lines, at bus stops and rail stations (80% / 70%)
- Keeping fares low for seniors, the disabled and students (79% / 79%)
- Specific freeway improvements (I-110 and I-405 in South Bay) (78% / 80%)
- Improving freeway traffic flow (77% / 78%)
- Pothole repairs and local street repaving (76% / 79%)
- Remove key bottlenecks and improving traffic flow on Pacific Coast Highway, Hawthorne and Crenshaw Boulevards and Western Avenue (75% / n/a)
- Improving traffic along the 405 freeway between the 105 and 110 freeways by widening the road at key bottlenecks and upgrading on- and off-ramps (73% / n/a)
- Improve connections to jobs, schools and local airports (72% / 72%)
- Widen freeways to improve traffic flow (71% / 75%)
- Generalized traffic congestion relief (69% / 75%)
- Synchronizing signals in every area of the County (68% / 68%)
- Reducing diesel emissions from trucks and trains (66% / 67%)
- Improving van service for seniors, the disabled and veterans (64% / 70%)
- Adding and upgrading crosswalks and sidewalks to improve student and pedestrian safety (64% / 70%)

Countywide 2/3 voter approval threshold

- Synchronizing local signals (69% / 64%)
- Establishing and improving Express Bus Service on freeways (67% / 56%)
- Extending light rail, subway and bus service in L. A. County (63% / 63%)
- Extending the Metro Green Line south towards San Pedro through Redondo Beach and Torrance (62% / n/a)
- Continuing to advance and improve the L. A. County transportation system to help economic and job growth (61% / 66%)
- Upgrading and redesigning local streets to balance motorist concerns with better and safer access for pedestrians, bicycles and bus travel (60% / 63%)

- Improving opportunities for getting from public transportation stops and stations to your final destination, by improving pedestrian, bike and neighborhood shuttle services (60% / 61%)
- Improving safety at rail crossings (59% / 65%)
- Improving the flow and safety of truck traffic on freeways and roads near the ports of Los Angeles and Long Beach (58% / 64%)
- Improving and expanding Metrolink service (58% / 61%)
- Establishing and improving neighborhood shuttles (58% / 55%)
- Connecting public transit to LAX, Burbank, L. B. and Palmdale airports (57% / 64%)
- Expanding bus service, including adding more Rapid buses (57% / 58%)
- Improving frequency of and connections to bus service (56% / 57%)
- Creating a safe network of bicycle paths, physically separated from motor vehicle traffic (54% / 61%)
- Adding carpool lanes on freeways (52% / 58%)
- Upgrading freeway on- and off-ramps to improve traffic flow (49% / 64%)
- Building more Park and Ride lots at transit stations (49% / 48%)

The random dial cellphone and landline telephone poll was fielded March 17-29 with 1,414 L. A. County residents ages 18 or older. The survey included 201 South Bay respondents. The survey margin for error ranged from 2.6% for full-sample questions to 6.9% for sub-regional questions.

Coalition Seeks 10% of New Sales Tax Measure Dedicated To Active Transportation

Investing in Place, a new policy-based organization shepherded under the auspices of the Los Angeles County Active Transportation Collaborative, the L.A. County Bicycle Coalition, and the Safe Routes to School National Partnership, is advocating for a policy that would dedicate at least ten percent of the next Los Angeles County transportation sales tax measure for walking, bicycling, and safe routes to school investments. In addition, the coalition is asking for twenty percent of the “local return” category of funding that would be subvented to local jurisdictions to be set aside for active transportation.

Although a number of cities, notably the City of Los Angeles, have used some local return monies for walk and bike projects and programs, most cities throughout L.A. County have not. In addition, the coalition noted there was no dedicated active transportation funding in either Measure R in 2008 nor in the defeated transportation sales tax Measure J in 2012.

L. A. City Reduces DASH Fares for Electronic Fare Payment; Offers New Passes

DASH ridership throughout Los Angeles City has dropped by 31% over the past 5 years. Despite the ridership declines, fare revenues have risen as a result of fare rates being doubled from 25-cents to 50-cents 13 months ago.

In an effort to regain ridership and reduce administrative costs, L.A. City Council on May 29th approved a fare policy change for its DASH transit lines for riders that pay their fare using TAP cards, mobile applications or other approved electronic payment methods. Effective July 1st the new DASH electronic cash fares will drop from 50-cents to 35-cents for regular riders. Electronic fares for seniors, disabled and Medicare riders will be reduced from 25-cents to 15-cents. Non-electronic cash fares will remain at 50-cents for regular riders and 25-cents for seniors, disabled and Medicare riders. DASH will also offer discounted 7-day and 31-day rolling electronic passes.

DASH managers estimate the fare reductions could increase ridership by 12%. But if all riders that currently pay cash (currently 80%) convert to electronic payments, the lower electronic fares will cost the city \$2.1 million in lost fare revenue.

Bay Area Is Applying the Parklet Strategy to Make Transit “Stoplets”

San Francisco’s parklet revolution has broadened the possibilities for how curb space can be used. Now, city planners in the city and in the East Bay are taking the idea in a new direction: using temporary sidewalk extensions to make transit stops more efficient and attractive.

Typically, San Francisco’s bulbs are a simple curb extension with a bus shelter. In Oakland and Alameda, AC Transit recently installed bulbs with features like curbs raised above sidewalk height with ramps to allow for level bus boarding, as well as greenery.

Advocates note the stoplet speeds up transit boarding and alighting, particularly for riders that require deployment of the bus ramp or lift and provides more room to wait on narrow sidewalks and keep passengers that are boarding or alighting the bus out of travel lanes and the path of people walking by. Opponents note that the bus now stops and blocks a through traffic lane rather than pulling out of traffic and into the traditional transit-only zone in the curb lane.

Like parklets, stoplets in San Francisco would be “adopted” by merchants who want to improve bus stops in front of their storefronts by adding street furniture and other amenities to serve transit riders. Under the San Francisco program, once a merchant adopts a stoplet, government constructs the facilities and the adjacent merchants maintain the stops. San Francisco planners noted there are important benefits to be gained from the approach of letting merchants create stoplets. “It lets them get excited about the bus stop and feel obligated to it,” he said, and provides an “activated” gathering space that attracts “eyes on the street.”

Metro Publishes First Countywide Sustainability Annual Report

The Metro Board of Directors Ad Hoc Sustainability Committee released the agency’s first Countywide Sustainability Annual Report at its May 21st meeting. The report establishes a baseline to “track sustainability progress going forward for Metro’s own actions and broader measures of sustainability throughout the county.

The bulk of the report is a series of charts illustrating Countywide Performance Metrics measure sustainability outcomes countywide. Metrics are intended to capture changes occurring over time. The key metrics include: Vehicle Miles Traveled, Total Person Trips for Carpool and Active Transportation, Population and Number of Jobs Within ½ mile of Metro Rail Stations, Daily Total CO2 Emissions and Daily Vehicle Delay for L.A. County, and Metro Transit’s Total Annual Boardings.

The report also includes brief case studies on sustainability projects from vanpools, to greenways, to bike hubs. It includes a spreadsheet with Metro’s status on its identified sustainability work plan.

L.A. Official Recommends Sidewalk Repair Burden Be Shifted To Property Owners

L. A. City Administrative Officer Miguel Santana, issued a report on May 26th recommending that Los Angeles’ commercial property owners should be required to pay for repairing badly broken and inaccessible sidewalks caused by tree root damage next to their property land heavily damaged sidewalks next to homes should be repaired by the city and then future responsibility for upkeep and liability of the walkways should be shifted to homeowners.

The recommendations are part of a package of proposals to guide a \$1.4-billion, 30-year plan to tackle a massive backlog of sidewalk repairs. Santana's report follows a proposed settlement to a lawsuit filed by attorneys for the disabled, which requires the \$1.4-billion expenditure on sidewalks repairs over the next three decades.

Under the proposed changes, commercial land owners would be given a year to fix broken sidewalks next to their property, where city inspectors deem them to be inaccessible. Santana recommends waiving permit fees for the work and creating a list of pre-qualified contractors to do the walkway repairs.

For residential areas, Santana recommends that the city repair any sidewalk damaged by tree roots and then transfer the responsibility to the property owner — a “fix and release” approach. For sidewalks in good condition, a certificate of compliance would be issued to the property owner, who would then be held liable for any future repairs.

Under California law, property owners are responsible for repairing sidewalks. But L.A. leaders opted to assume the burden for walkway damaged caused by city trees when federal funding was available for the work. After the federal money ran out, L.A. voters were unwilling to support tax increases to continue the repair work and a massive backlog of uneven and temporarily patched walkways developed and the program has become a major unfunded financial burden on L.A.'s municipal budget. Santana is suggesting the mayor and City Council repeal an exception to a section of the municipal code that gave the city responsibility for walkways.

L. A. City public works officials don't know how many miles of sidewalks exist in the city or their condition. There also is no centralized record-keeping on the location or condition of curb ramps. Santana's report recommends that the city public works department should create an inventory of sidewalks and curb ramps through a citywide inspection program.

“Floating” Bus Stop / Protected Bikeway Design Gaining Attention In U.S. Cities

There is a dance at bus stops between bicycles and buses traveling in the same direction in which the person riding a bike will leave the bike lane and go out into car traffic to pass a bus that has pulled into a stop, only to be quickly passed again by the bus driver, who then has to pull in for the next stop just as the cyclist is coming up from the rear again.

The need to solve that problem is the impetus behind a relatively new infrastructure design solution in the U. S. known as a floating bus stop. In this design, the bike lane is placed between the raised sidewalk and a raised bus stop island. Variations on this design exist around the world, including in San Francisco.

One potential problem with the floating bus stop design, at least when initially introduced into a city with no previous experience of the concept, is that transit riders must cross the bike lane to get to and from the stop. The islands must be big enough to give transit passengers a comfortable place to stand and the cycle path must be clearly demarcated by differing pavement heights and coloring. Curb cuts with textured surfaces can assist the visually impaired to navigate the situation.