

PPLC Agenda Item 5.1 Handout

Bill Recommendations:

The following two bills focus on providing funding for Student Transit Pass Programs. Bill introduction timelines and Alameda CTC packet production timelines did not allow for inclusion of these in the mailout for the March 2016 PPLC meeting.

Staff recommends the consideration of these bills for March Commission meeting action.

Bill Number	Bill Information	Staff Recommendation
<i>Student Transit Pass Program</i>		
AB 1572 (Campos D) School transportation.	Would entitle a pupil who attends a school that is eligible for Title 1 federal funding to free transportation to and from school provided by the local educational agency, if certain conditions are met. The bill would require the local educational agency to designate a liaison to implement a plan developed, in consultation with specified stakeholders, to ensure that all entitled pupils receive free transportation in a timely manner.	Alameda CTC’s 2016 legislative program “Supports policies that provide increased flexibility for transportation service delivery through innovative, flexible programs that address the needs of commuters, youth, seniors, people with disabilities and low-income people.” Staff recommends a SUPPORT IN CONCEPT position on this bill since it is still not clear where the funding will come from.
AB 2222 (Holden D) Transit passes.	Would continuously appropriate \$50,000,000 annually from the Greenhouse Gas Reduction Fund for the Transit Pass Program, to be administered by the Department of Transportation. The bill would provide for moneys made available for the program to be allocated by the Controller, as directed by the department, to support transit pass programs of public agencies that provide free or reduced-fare transit passes to public school students and community college, California State University, and University of California students.	Per the legislative program section noted above, this bill provides funding to support school transit pass programs. Staff recommends a SUPPORT position.

ASSEMBLY BILL

No. 1572

Introduced by Assembly Member Campos

January 4, 2016

An act to add Section 39800.1 to the Education Code, relating to school transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1572, as introduced, Campos. School transportation.

Existing law authorizes the governing board of a school district to provide for the transportation of pupils to and from school whenever in the judgment of the board the transportation is advisable and good reasons exist to do so.

This bill would entitle a pupil who attends a school that is eligible for Title 1 federal funding to free transportation to and from school provided by the local educational agency, if certain conditions are met. The bill would require the local educational agency to designate a liaison to implement a plan developed, in consultation with specified stakeholders, to ensure that all entitled pupils receive free transportation in a timely manner.

By requiring new duties on a local educational agency, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (1) According to data released by the U.S. Census Bureau,
4 without a high school diploma, Americans are almost twice as
5 likely to live in poverty.
6 (2) Several independent academic studies indicate a marked
7 increase in school participation and graduation rates among
8 children who were guaranteed transportation to and from school.
9 (3) According to a recent report by California Attorney General
10 Kamala Harris, poverty and financial instability is the number one
11 cause of truancy in the state.
12 (b) Based on the findings and declarations in subdivision (a), it
13 is the intent of the Legislature to enact legislation that would
14 support school participation and high school attainment among
15 low-income youth.
16 SEC. 2. Section 39800.1 is added to the Education Code, to
17 read:
18 39800.1. (a) Notwithstanding any other law, a pupil attending
19 a school that is eligible for Title 1 federal funding shall be entitled
20 to free transportation, from the local educational agency, to and
21 from school, if either of the following conditions are met:
22 (1) The pupil resides more than one-half mile from the school.
23 (2) The neighborhood through which the pupil must travel to
24 get to school is unsafe due to stray dogs, no sidewalks, known
25 gang activity, or other reasons documented by stakeholders
26 pursuant to subdivision (c).
27 (b) (1) A local educational agency shall designate a liaison that
28 shall be responsible for implementing a plan to ensure that all
29 pupils entitled to free transportation pursuant to subdivision (a)
30 receive the transportation.
31 (2) The liaison shall be trained to identify and accommodate
32 the special rights of homeless youth, as defined pursuant to the
33 federal McKinney-Vento Homeless Assistance Act (42 U.S.C.
34 Sec. 11301 et seq.).

1 (c) The plan required by paragraph (1) of subdivision (b) shall
2 be developed with the consultation of teachers, school
3 administrators, regional local transit authorities, the Air Resources
4 Board, the Department of Transportation, parents, pupils, and other
5 stakeholders.

6 (d) If free, dependable, and timely transportation is not available
7 for pupils entitled to transportation services pursuant to this section,
8 the local educational agency shall ensure that the pupils entitled
9 to the transportation are provided free transportation using its
10 existing funds, unless the local educational agency determines that
11 lack of transportation does not reduce pupil school attendance.

12 SEC. 3. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.

ASSEMBLY BILL

No. 2222

Introduced by Assembly Member Holden

February 18, 2016

An act to amend Section 39719 of the Health and Safety Code and to add Part 4 (commencing with Section 75240) to Division 44 of the Public Resources Code, relating to greenhouse gases, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2222, as introduced, Holden. Transit passes.

Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 10% of the annual proceeds of the fund to the Transit and Intercity Rail Capital Program and 5% of the annual proceeds of the fund to the Low Carbon Transit Operations Program.

This bill would continuously appropriate \$50,000,000 annually from the Greenhouse Gas Reduction Fund for the Transit Pass Program, to be administered by the Department of Transportation. The bill would provide for moneys made available for the program to be allocated by the Controller, as directed by the department, to support transit pass programs of public agencies that provide free or reduced-fare transit passes to public school students and community college, California State University, and University of California students. The bill would require the Department of Transportation, in coordination with the State Air Resources Board, to develop guidelines that describe the

methodologies that recipient public agencies would use to demonstrate that the proposed expenditures will reduce greenhouse gas emissions. The bill would require at least 50 percent of the moneys allocated under the Transit Pass Program to benefit disadvantaged communities, as specified.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
- 3 (a) Student transit pass programs have been shown to increase
4 overall transit ridership and fill empty seats on trains and buses,
5 resulting in reduced costs per rider and improved service because
6 of higher demand.
- 7 (b) Targeting student transit passes to middle school, high
8 school, college, and university students can promote the
9 development of lifelong transit riders and further bolster the
10 capacity and reliability of our transit systems.
- 11 (c) Student transit pass programs in this state and across the
12 country have resulted in significant increases in transit ridership
13 and have made it easier and cheaper for students to get to schools
14 and to jobs.
- 15 (d) Student transit pass programs can help the state reduce
16 greenhouse gas emissions, vehicle miles traveled, petroleum use,
17 and air pollution, and improve overall community health.
- 18 (e) Student transit passes lower pollution around elementary
19 schools, thereby improving student health.
- 20 (f) Schools are often the major generators of traffic in cities,
21 and student transit pass programs can help reduce the traffic and
22 parking problems in neighborhoods around schools.
- 23 (g) Student transit pass programs can reduce the need for
24 colleges to use campus land for expensive parking structures when
25 this land and money could be better used for educational purposes.
- 26 (h) Student transit pass programs have decreased the need to
27 drive to and from school, along with the costs associated with
28 driving to and from school, thereby reducing the overall cost of
29 school attendance and reducing parental burdens for working
30 families.

1 (i) A University of California, Los Angeles, study of 35 college
2 and university student transit pass programs across the United
3 States in 2001 showed ridership increases of 71 to 200 percent
4 after the implementation of these programs.

5 SEC. 2. Section 39719 of the Health and Safety Code is
6 amended to read:

7 39719. (a) The Legislature shall appropriate the annual
8 proceeds of the fund for the purpose of reducing greenhouse gas
9 emissions in this state in accordance with the requirements of
10 Section 39712.

11 (b) To carry out a portion of the requirements of subdivision
12 (a), annual proceeds are continuously appropriated for the
13 following:

14 (1) Beginning in the 2015–16 fiscal year, and notwithstanding
15 Section 13340 of the Government Code, 35 percent of annual
16 proceeds are continuously appropriated, without regard to fiscal
17 years, for transit, affordable housing, and sustainable communities
18 programs as following:

19 (A) Ten percent of the annual proceeds of the fund is hereby
20 continuously appropriated to the Transportation Agency for the
21 Transit and Intercity Rail Capital Program created by Part 2
22 (commencing with Section 75220) of Division 44 of the Public
23 Resources Code.

24 (B) Five percent of the annual proceeds of the fund is hereby
25 continuously appropriated to the Low Carbon Transit Operations
26 Program created by Part 3 (commencing with Section 75230) of
27 Division 44 of the Public Resources Code. Funds shall be allocated
28 by the Controller, according to requirements of the program, and
29 pursuant to the distribution formula in subdivision (b) or (c) of
30 Section 99312 of, and Sections 99313 and 99314 of, the Public
31 Utilities Code.

32 (C) Twenty percent of the annual proceeds of the fund is hereby
33 continuously appropriated to the Strategic Growth Council for the
34 Affordable Housing and Sustainable Communities Program created
35 by Part 1 (commencing with Section 75200) of Division 44 of the
36 Public Resources Code. Of the amount appropriated in this
37 subparagraph, no less than 10 percent of the annual proceeds, shall
38 be expended for affordable housing, consistent with the provisions
39 of that program.

1 (2) Beginning in the 2015–16 fiscal year, notwithstanding
2 Section 13340 of the Government Code, 25 percent of the annual
3 proceeds of the fund is hereby continuously appropriated to the
4 High-Speed Rail Authority for the following components of the
5 initial operating segment and Phase I Blended System as described
6 in the 2012 business plan adopted pursuant to Section 185033 of
7 the Public Utilities Code:

- 8 (A) Acquisition and construction costs of the project.
- 9 (B) Environmental review and design costs of the project.
- 10 (C) Other capital costs of the project.
- 11 (D) Repayment of any loans made to the authority to fund the
12 project.

13 (3) *Beginning in the 2016–17 fiscal year, fifty million dollars*
14 *(\$50,000,000) annually from the proceeds of the fund is hereby*
15 *continuously appropriated to the Transit Pass Program created*
16 *pursuant to Part 4 (commencing with Section 75240) of Division*
17 *44 of the Public Resources Code.*

18 (c) In determining the amount of annual proceeds of the fund
19 for purposes of the calculation in subdivision (b), the funds subject
20 to Section 39719.1 shall not be included.

21 SEC. 3. Part 4 (commencing with Section 75240) is added to
22 Division 44 of the Public Resources Code, to read:

23
24
25

PART 4. TRANSIT PASS PROGRAM

26 75240. The Transit Pass Program is hereby created, to be
27 administered by the Department of Transportation. Moneys made
28 available for the program shall be allocated by the Controller, as
29 directed by the department, to support transit pass programs that
30 provide free or reduced-fare transit passes to public school students
31 and community college, California State University, and University
32 of California students.

33 75241. An eligible applicant under the program shall be a
34 public agency, including, but not limited to, a transit operator,
35 school district, community college district, the California State
36 University, the University of California, or a city or county.

37 75242. The Department of Transportation, in coordination with
38 the State Air Resources Board, shall develop guidelines that
39 describe the methodologies that recipient public agencies shall use
40 to demonstrate that the proposed expenditures will reduce

1 greenhouse gas emissions. Chapter 3.5 (commencing with Section
2 11340) of Part 1 of Division 3 of the Government Code does not
3 apply to the development of guidelines for the program pursuant
4 to this part.

5 75243. At least 50 percent of the moneys allocated pursuant
6 to this part shall benefit disadvantaged communities consistent
7 with the guidance provided by the State Air Resources Board
8 pursuant to Section 39715 of the Health and Safety Code.

O