

San Mateo County Transportation Authority

2023 Legislative Program

Purpose

Legislative and regulatory actions have the potential to significantly benefit San Mateo County Transportation Authority (Agency) programs and services. They also have the potential to present serious challenges that threaten the Agency's ability to meet the county's most critical transportation demands.

The 2023 Legislative Program establishes the principles that will guide the Agency's legislative and regulatory advocacy efforts through the 2023 calendar year, including the first half of the 2023-24 State legislative session and first session of the 118th Congress.

The program is intended to be broad enough to cover the wide variety of issues that are likely to be considered during that time and flexible enough to allow the Agency to respond swiftly and effectively to unanticipated developments.

Objectives

The 2023 Legislative Program is organized to guide the Agency's actions and positions in support of three primary objectives:

- Maintain and enhance funding opportunities to support the Agency's programs and services;
- Seek a regulatory environment that streamlines project delivery and maximizes the Agency's ability to meet transportation service demands; and
- Reinforce and expand programs that build and incentivize public transportation ridership, improve quality transportation choices, and better incorporate the Transportation Authority programs as well as SamTrans and other transit provider services with other agencies in the Bay Area.

Issues

The Legislative Program is structured to apply these core objectives to a series of State and Federal issues falling in these categories:

- Budget and Transportation Funding Opportunities
- Transportation Projects Funding Requests and Needs
- Regulatory, Legislative, and Administrative Issues

Within these categories are a detailed list of specific legislative initiatives and corresponding set of policy strategies.

Should other issues surface that require the Board's attention, actions will be guided by the three policy objectives listed above. If needed, potential action on issues that are unrelated to these policy goals will be brought to the Board for consideration.

Advocacy Process

Staff will indicate on each monthly legislative update recommended positions for pending bills. Once the Board has an opportunity to review the recommended position, staff will communicate the position to the relevant entity (such as the bill author, agency, or coalition). In rare circumstances, should a position on a bill be needed in advance of a Board meeting, staff will confer with the Board Chair. If legislation falls outside of the scope of the Board's adopted Legislative Program, Board approval will be required prior to the Agency taking a position.

Public Engagement Strategies

Staff, led by the Communications Division and its legislative consultants, will employ a variety of public engagement strategies to support the 2023 Legislative Program, including:

- Direct Engagement
Engage policymakers directly, sponsor legislation, submit correspondence and provide public testimony that communicates and advances the Agency's legislative priorities and positions.
- Coalition-based Engagement
Engage stakeholders to build awareness about specific issues and participate in local, regional, statewide and national coalitions organized to advance positions that are consistent with the Legislative Program.
- Media Engagement
Build public awareness and communicate the Agency's legislative priorities by issuing press releases, organizing media events, and through the use of social media.

The adopted legislative program will guide the Agency's legislative advocacy efforts until approval of the next program.

State and Regional

Funding Opportunities and Challenges

Issue / Background

Strategy

General Funding

Transit agencies continue to suffer from a loss of ridership and revenue as a result of the COVID-19 pandemic. Additional funding is needed to mitigate the pandemic’s impact for transit agencies.

In 2022, the state budget included significant new funding for transportation, with additional funds (\$4 billion) proposed for FYs 2023-24 and 2024-25. These funds are for capital projects and flow through the Transit and Intercity Rail Capital Program (TIRCP).

- Direct advocacy for additional resources to secure state funding for transit systems and work to ensure committed funds materialize in the FY 2023-24 State Budget.
- Work with other regional transit agencies and other entities, and agencies statewide, to secure a new source of operations funding for transit.
- Ensure that any new COVID relief funding suballocated through the region is based primarily on revenue losses, balanced with the needs of transit dependent riders.
- Protect against the elimination or diversion of any State or regional funds that support the Agency’s transportation needs.
- Support State funding allocation requests for investments that benefit the Agency’s transportation programs and services.
- Work with legislative delegation, regional agencies, transit systems and transit associations to identify and advance opportunities for funding that would support the Agency’s transportation priorities.
- Support efforts to provide funding for the deployment of zero emission transit vehicles and infrastructure, including working with the California State Transportation Agency (CalSTA), the California Air Resources Board (CARB), and the California Energy Commission (CEC) on funding program requirements.

Formula Funding In 2022, transit formula funding began to rebound from the lows of the COVID-19 pandemic, seeing new highs by some estimates. However, a potential recession may impact core transit funding.

After years of diversion to support the State’s General Fund, funding for the State Transit Assistance (STA) program has remained stable over the last few budget cycles thanks to successful legal, legislative and political efforts on

- Support the full funding of the STA program at levels called for in the 2011 reenactment of the 2010 gas-tax swap legislation.
- Support full and timely allocation of the Agency’s State Transportation Improvement Program (STIP) share.
- Participate in the CTA’s TDA taskforce and support CTA efforts to engage the Legislature on TDA reform, the review of performance measures for transit, and efforts to extend temporary relief.

<p>behalf of the transportation community. Still, more revenue is needed in order to meet the demand of increased ridership, reduce highway congestion and adhere to the State’s mandate of reducing greenhouse gas emissions, and creating livable communities.</p> <p>In 2019, the California Transit Association convened a working group, at the request of the Senate and Assembly Transportation Committees to review and provide potential changes to the Transportation Development Act (TDA). The CTA effort resulted in temporary relief in meeting farebox recovery ratio requirements to access LTF, STA, LCTOP and SOGR funds as well as several more significant and permanent changes to TDA such as adding additional exemptions for on-demand service, cost of security, transitioning to zero-emission operations, and more. In 2023, the TDA conversation will continue to assess more holistic changes to TDA to maximize flexibility for maintaining and expanding service. The Agency via the San Mateo County Transit District is part of the working group. In 2023, the Agency will support the California Transit Association’s efforts to extend the temporary relief.</p>	
<p>Cap-and-Trade Revenues In 2012, the State began implementing the cap-and-trade market-based compliance system approved as a part of the California Global Warming Solutions Act of 2006 (AB 32). Since the program began selling allowances, it has generated billions of dollars. In 2014, legislation was enacted creating a long-term funding plan for cap-and-trade which dedicates 60</p>	<ul style="list-style-type: none"> ● Work with the Administration and like-minded coalitions to secure the appropriation of additional cap-and-trade revenues to support the Agency’s transportation needs. ● Support legislation and regional action that makes a broad array of the Agency’s emissions-reducing transportation projects, programs and services eligible for investment. ● Support efforts to further extend the program.

<p>percent of cap-and-trade revenues to transportation. The remaining 40 percent is subject to annual appropriation through the state budget process. In 2017, the legislature extended the program from 2020 to 2030.</p> <p>The programs require a certain percentage of funds be expended in state defined “equity priority communities” communities” (as defined by CalEnviroScreen). This can prove difficult in jurisdictions with a small number of disadvantaged communities.</p>	<ul style="list-style-type: none"> ● Protect existing cap-and-trade appropriations for transit operations, capital projects and sustainable communities strategy implementation. ● Support efforts to revise the State’s definition on “equity priority communities” to encompass a larger proportion of disadvantaged communities on the Peninsula.
<p>Voter Threshold In recent years, the Agency has supported legislation that would provide a framework for lowering the thresholds for the State or a city, county, special JPB or regional public agency to impose a special tax.</p>	<ul style="list-style-type: none"> ● Support efforts to amend the State Constitution to reduce the voter threshold required for the State or a city, county, special district or regional transportation agency to impose a special tax for transportation supported projects or programs. Monitor efforts to use the initiative process to place measures on the ballot with lower voter thresholds.
<p>Other State or Local Funding Options Local and regional governments continue to seek methods for funding new infrastructure, facility needs, sustainability initiatives, and projects that will support ridership growth through a variety of methods such as managed lanes and local ballot measures.</p> <p>In 2020, there was the potential for a regional transportation measure (called FASTER Bay Area), led by the Bay Area Council, Silicon Valley Leadership Group and SPUR. MTC is kicking off a listening tour regarding a potential future regional ballot. Many details about the timing, funding mechanism and expenditure plan are still being discussed.</p>	<ul style="list-style-type: none"> ● Advocate for legislation that would create new local funding tools to support transportation infrastructure and services. ● Support innovative local and regional funding options that will provide financial support for the Agency. ● Support legislation that works to ensure revenues generated through express lane projects remain in the County of origin. ● Advocate for funding sources that would assist transit agencies in obtaining funds for sustainability initiatives including water conservation, waste reduction, long-term resource efficiency of facilities and equipment, and greenhouse gas reductions. ● Support funding for workforce development, retention, and housing to attract and retain quality personnel. ● Support efforts that allow for public private partnerships that benefit the implementation of capital projects, efficient operation of transit services, or enhanced access to a broad range of mobility options that reduce traffic congestion.

<p>In 2014, the Federal Aviation Administration (FAA) issued a rule called the “Policy and Procedures Concerning the Use of Airport Revenue, proceeds from Taxes on Aviation Fuel.” The rule would require that local taxes on aviation fuels must be spent on airports is contrary to states’ rights to control their general application sales tax measures. The State of California has been active in addressing this issue.</p>	<ul style="list-style-type: none"> • Work to ensure the Agency is at the table and appropriately funded as part of any potential regional funding measure. • Support efforts to ensure sales tax revenues generated from aviation fuel continue to fund planned transportation projects. Support the State of California in its efforts to respond and address FAA’s requests.
<p>Transportation & Housing Connection Given the housing shortage crisis, there have been efforts at the State and regional levels to link housing and zoning with transportation funding. The Surplus Lands Act which governs the disposition of government owned property is likely to be amended in the next legislative cycle.</p>	<ul style="list-style-type: none"> • Evaluate state or regional efforts that directly link transportation funding to housing and enable higher density housing projects near transit stations. • Advocate for solutions that appropriately match decision making authority with funding (i.e – An agency shouldn’t be financially penalized for decisions that are outside the authority of the agency). • Advocate where necessary for the Transportation Authority to be able to develop its property in the manner most beneficial to Agency needs and goals.
<p>Transportation Projects</p>	
<p>General Pre-pandemic, as the Bay Area’s population continued to grow, the region’s transportation infrastructure was strained. Although transit ridership remains far below pre-pandemic levels, we expect riders to return to public transit over time. We are already seeing highways, local streets and roads becoming heavily congested. Despite the pandemic, the demand for housing with easy access to public transit continues to grow.</p>	<ul style="list-style-type: none"> • Work with partners in the region to bring business, community, and transportation stakeholders together to enhance, support and advocate for equitable transportation and mobility in the Bay Area. • Support legislation and funding that assists the Agency in its efforts to recruit and retain employees.
<p>101 Managed Lanes and Multimodal Projects There are several Managed and Express Lanes projects in San Mateo County including the 101</p>	<ul style="list-style-type: none"> • Support funding opportunities that will help the project move through the different stages of planning, environmental, and construction phases. • Support policies that will allow for effective public private partnerships.

<p>Express Lanes from the San Mateo/Santa Clara County line to I-380 in South San Francisco (Phase 1); North of 380 to San Francisco (Phase 2); and the 101/92 Interchange Area Improvement and Direct Connector projects. Phase 1 (of 101 Express Lanes is expected to be fully operational in early 2023 and Phase 2 began environmental efforts in 2021 with a draft EIR expected to be available for public comment in winter 2023/24. The 101/92 Area Improvement project is construction ready and the Direct Connector project starts environmental efforts in 2023.</p>	<ul style="list-style-type: none"> • Participate in future workshops held by the California Transportation Commission to ensure eligibility for all projects. • Support funding and regulations that complement the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) adopted 101 equity program.
<p>Transit-Oriented Development / First and Last Mile First and last mile projects, as well as transit-oriented development projects are an important part of the broad transit ecosystem that will help support robust ridership in the corridor.</p>	<ul style="list-style-type: none"> • Support efforts to provide commuters with easy and convenient options to travel to and from major transit centers to their final destination. • Support the development of new, innovative, and equitable first and last mile options. • Support increased funding opportunities for first and last mile projects. • Advocate for policies that promote transit-oriented developments in ways that compliment transit services. • Support state funding incentives and streamlining processes for transit-oriented development.
<p>Grade Separations are an important safety and quality of life feature for the cities in San Mateo County. These projects improve safety for people walking, biking, and driving when crossing the railroad, and help to relieve congestion on local our streets. Unfortunately, with the average grade separation cost over \$200 million, there continue to be limited federal, state and local resources available to help finance these projects.</p>	<ul style="list-style-type: none"> • Advocate for funding and policies to support grade separation projects.
<p>Transportation Demand Management (TDM) TDM is the application of strategies and policies to</p>	<ul style="list-style-type: none"> • Support efforts that provide more TDM tools and funding opportunities. • Support policies that encourage use of TDM.

<p>reduce travel demand of single-occupancy vehicles or to redistribute this demand in space or time.</p>	
<p>Electrification Project In 2012, the State Legislature appropriated Prop 1A high-speed rail funds to modernize the Caltrain corridor and lay the foundation for future high-speed rail service. Under a multi-party regional funding agreement, this investment was matched with a variety of local, regional, state and federal funding sources to electrify the corridor, install an advanced signaling system and replace 75% of Caltrain’s aging diesel trains with electric trains that will dramatically improve service between San Francisco and San Jose. The Project has a funding gap that requires additional financial resources.</p> <p>The Electrification Project is a transformational first step in the realization of a larger future for Caltrain that will be guided by the Caltrain 2040 Business Plan efforts.</p>	<ul style="list-style-type: none"> • Direct advocacy to support allocation of one-time general fund money, TIRCP, cap-and-trade, or other State funding, to fill the funding gap for the Electrification project to ensure timely completion of the project by 2024. • Work with state, local and regional partners to advance policies and actions that will help secure funding needed to fulfill local, regional and state commitments to the Electrification Project.
<p>Legislative, Regulatory and Administrative Issues</p>	
<p>General Every year, lawmakers pursue a variety of legislation or regulatory actions that would affect regulations governing transportation-related service operations, administration, planning and project delivery. In addition, there are opportunities to reform or update existing regulations that are outdated, or can be improved to address potential burdens on transportation agencies without affecting regulatory goals. Recently, there have been calls for a more</p>	<ul style="list-style-type: none"> • Support opportunities to remove barriers to, and improve the ability to conduct, safe, efficient transportation operations, administration, planning and project delivery efforts, including alternative project delivery methods that provide flexibility to the Agency. • Oppose efforts to impose unjustified and burdensome regulations or restrictions on the Agency’s ability to conduct efficient transportation operations, administration, planning and project delivery efforts. • Engage with MTC, the Legislature, and stakeholders on policies stemming from MTC’s Blue Ribbon Transit Recovery Task Force’s Bay Area Transit Transformation Action Plan, and the “Seamless” Bay Area efforts.

<p>coordinated and streamlined transit system in the Bay Area.</p>	<ul style="list-style-type: none"> • Ensure that new requirements impacting transit agencies support improved connections with other transit system and don't result in tradeoffs that have unintended consequences for key transit riders and stakeholders. • Work with the Administration to ensure guidance considers impacts on transit operations and the ability to meet transit rider mobility needs. • Support efforts that assist the Agency in its efforts to recruit and retain employees.
<p>California Environmental Quality Act (CEQA) Several regional and statewide transportation organizations continue working to modernize CEQA and minimize unnecessary delays during the environmental review process. In 2020, legislation was passed (SB 288) providing a series of statutory exemptions for transit and active transportation projects under CEQA. In 2022, lawmakers passed SB 922 to extend these exemptions through 2030.</p>	<ul style="list-style-type: none"> • Closely monitor efforts to modernize CEQA. Without compromising CEQA's effectiveness as an environmental protection policy, support proposals that advantage transportation projects, including bicycle, pedestrian and transit-oriented development projects. • Monitor the implementation and opportunities related to SB 922 (Weiner).
<p>Sustainable Communities Strategies Implementation In conjunction with AB 32 and SB 32 implementation, the Sustainable Communities and Climate Protection Act (SB 375) requires regions to develop Sustainable Communities Strategies (SCS) with integrated housing, land use and transportation policies that will accommodate population growth and reduce regional greenhouse gas emissions by specific amounts. In 2017, regional authorities in the Bay Area approved the update to Plan Bay Area. The final Plan Bay Area 2050 was adopted in 2021.</p>	<ul style="list-style-type: none"> • Advocate for policies that provide adequate and equitable funding to support increased demand and dependence on the Agency's transportation services associated with the implementation of SB 375 and Plan Bay Area. • Ensure any planning, development, or policy proposals are consistent with the Agency's policies and planning. • Support efforts to provide ensure transit agencies are eligible for climate resiliency program funding.
<p>Transit Bus Electrification Zero-Emission Bus In December 2018, the California Air Resources Board (CARB) adopted the Innovative Clean Transit regulation. This regulation, which aims to transition</p>	<ul style="list-style-type: none"> • Advocate for priority funding from the State Legislature, CARB, CEC and CPUC for zero-emission buses and charging/refueling infrastructure to facilitate compliance with the Innovative Clean Transit (ICT) regulation.

<p>all transit buses operating in California to zero-emission bus technologies by 2040, presents transit agencies with new funding and operational challenges. Addressing these challenges requires ongoing engagement with regulatory bodies, including CARB, the California Energy Commission and the California Public Utilities Commission, to unlock new funding and to design programs supportive of compliance with the regulation.</p>	<ul style="list-style-type: none"> • Continue to educate State Legislature, CARB, CEC and CPUC on any challenges to implement the ICT regulation. • Continue to monitor implementation of Pacific Gas & Electric’s Commercial Electric Vehicle Rate, determine whether further refinements to the rate are necessary.
<p>Executive Orders Related to GHG Emissions: Since taking office, Governor Newsom has issued two Executive Orders – N-19-19 and N-79-20 – calling for reduced emissions from the transportation sector and larger, coordinated investments in transit, active transportation and land use. The executive orders highlight the need for expanding clean transportation options.</p> <p>Building on the executive orders above, in 2021, CalSTA adopted the Climate Action Plan for Transportation Infrastructure (CAPTI), which details how the state recommends investing billions of discretionary transportation dollars annually to aggressively combat and adapt to climate change while supporting public health, safety and equity.</p>	<ul style="list-style-type: none"> • Work to ensure state and federal funds are made available to achieve the goals outlined in the orders. • Engage in the State’s effort to address the transit-specific goals outlined in the executive orders. • Protect transit agencies from any negative impacts stemming from the executive orders (e.g. additional mandates without funding, changes to funding guidelines that might disadvantage transit projects). • Work to ensure state regulations related to the reduction of greenhouse gas emissions (GHG) and the implementation of the Climate Action Plan for Transportation Infrastructure (CAPTI) align with the goals of the Transportation Authority.
<p>Brown Act In response to the COVID-19 pandemic, Governor Newsom issued emergency orders that included suspending many of the Brown Act requirements for remote participation in public meetings, such as requiring teleconference locations to be disclosed, and making all teleconference locations open and accessible to the</p>	<ul style="list-style-type: none"> • Evaluate legislation that makes additional changes to the Brown Act. • Support changes that would do one or more of the following: <ul style="list-style-type: none"> ○ Provide flexibility for Board and citizens advisory/oversight committee members to participate in meetings remotely, particularly for regional entities. ○ Maximize equitable access to remote participation in meetings. ○ Protect the privacy of individuals cared for by Board/committee members.

public. In many cases, this flexibility resulted in new meeting methods and protocols that increased public participation.

In 2021, Newsom signed AB 361 (Rivas) to codify similar exceptions, through January 1, 2024, if there is a declared state of emergency, or state or local officials have imposed or recommended social distancing, and virtual public comment is allowed. Under AB 361, no minimum number of Board members need to be within the agency's jurisdiction for a hybrid or remote meeting, and there are no requirements for teleconference locations to be posted or open to the public.

In October 2022, Newsom declared that the state of emergency pertaining to the pandemic will expire on February 28, 2023, at which point remote meeting participation under AB 361 is unlikely to be available.

In 2022, Newsom signed AB 2449 (Rubio), creating a new option for Board members to participate remotely in meetings under the Brown Act in certain circumstances – such as when members are unable to attend due to physical or medical emergency, have childcare or other caretaking responsibilities, or are travelling for government business – until January 1, 2026. Remote participation under AB 2449 removes the location disclosure requirement for individuals' remote participation, but a quorum of the Board must meet in a singular physical location, and various disclosure and approval actions must be taken,

- Increase participation in public meetings.

<p>depending on the reason for remote participation. Each Board member's remote participation under AB 2449 generally is capped at three consecutive months and 20 percent of a board's regular meetings. The identity of anyone over 18 years of age that is in the room when a Board member participates remotely under AB 2449 must be announced.</p>	
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Federal	
Funding Opportunities and Challenges	
<i>Issue / Background</i>	<i>Strategy</i>
<p>Federal Appropriations Transit agencies continue to be impacted by the loss of ridership and revenue due to the COVID-19 pandemic. We expect the same in 2023. While federal emergency relief funding has provided some relief in the near-term, significant additional funding is needed to mitigate the pandemic's long-term impact.</p> <p>Every year, Congress adopts appropriations bills that cover 12 major issue areas, including the Transportation, Housing and Urban Development bill. These measures provide the funding for</p>	<ul style="list-style-type: none"> • Work with the Agency's federal delegation to secure Community Project Funding for the Agency's project priorities. • Partner with local, regional, State and national coalitions to advocate appropriation of the maximum authorized amount for programs that benefit the Agency's transportation services and needs. • Work with local and regional coalitions to support requests for funding from discretionary programs, • Communicate frequently with the Agency's federal delegation and key appropriators on the needs or concerns of pending appropriation bills.

<p>federal agencies to spend money during the upcoming fiscal year for the programs they administer. In March of 2022, Congress passed the FY 2022 Omnibus spending package. This legislation provided new funding levels to the Department of Transportation and the subsequent agencies that the Agency interacts with.</p> <p>In September, as Congress debated FY 2023 spending bills, members passed a continuing resolution (CR) to keep federal agencies funded at the same level as the previous fiscal year, through December 16, 2022.</p> <p>Similar to FY 2022, the FY 2023 appropriations process is expected to be completed with an Omnibus appropriations bill.</p>	
<p>Tax and Finance Congress considers legislation that governs tax and finance issues that impact transit agencies.</p>	<ul style="list-style-type: none"> • Support efforts to ensure tax provisions that benefit the Agency’s priorities are included in any tax or finance proposal. • Protect against the elimination or diversion of any tax policies that support the Agency’s transportation needs.
<p>Transportation Projects</p>	
<p>General Support Agency projects and the efforts of partnering agencies to obtain federal funding for the Agency’s related transit projects.</p>	<ul style="list-style-type: none"> • Work with federal delegation members, as well as local, regional, and state coalitions to support the federal funding requests for Agency projects and for our partner transit agencies on projects that provide complimentary services for the Agency. • Support the allocation of federal funding to advance implementation of transportation projects in San Mateo County
<p>Grade Separations are an important safety and quality of life feature for the cities in San Mateo County. These projects improve safety for people walking, biking, and driving when crossing the railroad, and help to relieve congestion on local</p>	<ul style="list-style-type: none"> • Advocate for funding and policies to support grade separation projects. • Support the allocation of federal funding to advance implementation of grade separation projects.

<p>our streets. While the IJA authorized additional funding for Grade Separation projects, the average grade separation cost over \$200 million and there continues to be limited resources available to help advance these projects.</p>	
<p>Electrification Project The current funding plan includes funding from several federal funding sources including the FTA Capital Investments Grant Core Capacity Program.</p> <p>The Project currently has a funding gap that we are working to close through State and federal funding sources. The Electrification Project is a transformational first step in the realization of a larger future for Caltrain that will be guided by the Caltrain 2040 Business Plan efforts.</p>	<ul style="list-style-type: none"> • Work with federal delegation members, as well as local, regional, and state coalitions to fill the Electrification Project funding gap. • Support the implementation and funding of the Caltrain Business Plan associated projects and policies. • Support funding and regulations that are consistent with Caltrain’s equity and growth policy, business plan. Consistent with existing agreements between JPB and CHSRA, support efforts to plan, engage stakeholders, and implement the Blended System project on the Caltrain corridor.
<p>101 Managed Lanes and Multimodal Projects There are several Managed and Express Lanes projects in San Mateo County including the 101 Express Lanes from the San Mateo/Santa Clara County border to I-380 in South San Francisco (Phase 1); North of 380 to San Francisco (Phase 2); and the 101/92 interchange Area Improvement and Direct Connector projects. Phase 1 is expected to be fully operational in early 2023 and Phase 2 began environmental efforts in 2021 with a draft EIR expected to be available for public comment in fall 2023. The 101/92 Area Improvement project is construction ready and the Direct Connect project starts environmental efforts in 2023.</p>	<ul style="list-style-type: none"> • Support funding opportunities that will help the project move through the different stages of planning, environmental, and construction phases. • Support policies that will allow for effective public private partnerships.
<p>Legislative, Regulatory and Administrative Issues</p>	

<p>General Every year lawmakers pursue legislation or regulatory action that would affect regulations governing transportation-related service operations, administration, planning and project delivery. In addition, there are opportunities to reform or update existing regulations that are outdated, or can be improved to address potential burdens on transportation agencies without affecting regulatory goals.</p>	<ul style="list-style-type: none"> • Support opportunities to remove barriers to, and improve the ability to conduct, safe, efficient transportation operations, administration, planning and project delivery efforts, including alternative project delivery methods that provide flexibility to the Agency. • Oppose efforts to impose unjustified and burdensome regulations or restrictions on the Agency’s ability to conduct efficient transportation operations, administration, planning and project delivery efforts. • Support efforts that assists the Agency in its efforts to recruit and retain employees.
<p>Infrastructure Investment and Jobs Act implementation (IIJA) In November 2021, Congress approved and the President signed into law the IIJA, includes \$550 billion in new funding, and \$1.2 trillion in total, for infrastructure investment, including for roads and bridges, rail systems, bus systems, drinking water and clean water, the electric grid, and other programs. MTC estimates that the Bay Area will receive at least \$3.4 billion in formula fundings from the IIJA.</p>	<ul style="list-style-type: none"> • Support efforts to seek federal funds through IIJA for Agency projects and plans. • Monitor and review guidance and rulemaking proposals affecting IIJA implementation and other transportation issues. • Collaborate with local, regional, state and national transportation advocacy groups to coordinate comments and advocacy efforts that support regulations that maximize benefits for transportation programs, services and users. • Collaborate with local, regional, state and national transportation advocacy groups to coordinate proposals and advocacy efforts for IIJA funding and implementation. • Evaluate DOT funding announcements as they open and seek direct funding from RAISE, INFRA/MEGA, Reconnecting Communities, and other relevant funding programs.
<p>Inflation Reduction Act (IRA) After the passage of the IRA, federal agencies will be tasked with program implementation, granting them broad authority over the deployment of funding. While focusing mainly on energy production, tax, and healthcare, the IRA provides some funding for low-emission transportation technologies.</p>	<ul style="list-style-type: none"> • Monitor closely and take action as needed during Administration implementation of provisions that may have a significant impact on transit / transportation projects and programs. • Advocate for funding for the Agency’s projects and needs.
<p>FAA Rule In 2014, the Federal Aviation Administration’s (FAA) issued a rule called the “Policy and Procedures Concerning the Use of</p>	<ul style="list-style-type: none"> • Support efforts to protect the ability of local and state governments to determine how general sales tax measures are allocated.

Airport Revenue, proceeds from Taxes on Aviation Fuel.” The rule would require that local taxes on aviation fuels must be spent on airports is contrary to states’ rights to control their general application sales tax measures.

The final FY 2021 Omnibus Appropriations bill includes report language encouraging the Department of Transportation “to continue working with State and local governments and the FAA to develop a path forward to allow the use of local sales tax revenues generated on the sale of aviation fuel to be used in a manner consistent with their enactment.”

- Continue to advocate for report language in the annual appropriations bills and support legislative changes that would permanently clarify the issue.
- Support the State of California in its efforts to respond and address FAA’s requests.