

Assembly Bill No. 1912

CHAPTER 201

An act to amend Section 99314.5 of the Public Utilities Code, relating to transportation.

[Approved by Governor July 22, 2002. Filed with Secretary of State July 22, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1912, Kehoe. Transportation: transit operations: funding.

Existing law requires that a specified portion of the funds in the Public Transportation Account in the State Transportation Fund be appropriated to the Controller for allocation to transportation planning agencies and county transportation commissions, as specified, for allocation to the transit operators in the area of the agency's or commission's jurisdiction. Existing law allows the allocation of funds to an operator for its operating costs, only if the operator is not precluded by contract from employing part-time drivers or contracting with common carriers of persons operating under a franchise or license and the operator is in compliance with prescribed ratios of fare revenues to operating costs.

This bill would delete these existing conditions on the allocation of funds to an operator for operating costs. The bill would provide that specified provisions do not prohibit or limit a public transit operator from employing part-time drivers or contracting with common carriers or persons operating under a franchise or license.

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

SECTION 1. Section 99314.5 of the Public Utilities Code is amended to read:

99314.5. (a) No funds allocated pursuant to Section 99313.3 or 99314.3 shall be allocated to an operator unless it is eligible for allocations under Article 4 (commencing with Section 99260), without considering any funds to be allocated to it pursuant to those sections, or it is in a county in which funds may be allocated for purposes specified in Section 99400.

(b) No funds allocated pursuant to Section 99313.3 shall be allocated to a city or county for the purposes specified in subdivisions (b), (c), (d), and (e) of Section 99400 unless it is eligible for allocations under Article



8 (commencing with Section 99400) for those purposes, without considering any funds to be allocated to it pursuant to that section.

(c) It is the intent of the Legislature that, in allocating the funds, the transportation planning agencies and the county transportation commissions, and the San Diego Metropolitan Transit Development Board, give priority consideration to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high-priority regional, countywide, or areawide public transportation needs.

(d) No funds allocated pursuant to Section 99313.3 or 99314.3 shall be allocated to a claimant for the purposes specified in Section 99275 unless it is eligible for allocation under Article 4.5 (commencing with Section 99275) for those purposes, without considering any funds to be allocated to it pursuant to those sections.

(e) Nothing in this section shall be construed to prohibit, or limit the ability of, a public transit operator to do the following:

- (1) Contract with common carriers of persons operating under a franchise or license.
- (2) Employ part-time drivers.

