

AMENDED IN SENATE SEPTEMBER 2, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 216**

**Introduced by Assembly Member Oropeza**

February 3, 2005

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An act to amend Section ~~12241~~ of the Elections Code, relating to ~~elections~~ 14556.30 of the Government Code, and to amend Sections 30914 and 30914.5 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 216, as amended, Oropeza. ~~Election precincts. Administration of transportation funds.~~

(1) *The Traffic Congestion Relief Act provides for the Department of Transportation to allocate certain funds in the Traffic Congestion Relief Fund, as directed by the California Transportation Commission, to transportation agencies for certain transportation projects specified by statute. Existing law provides that funds allocated from the fund shall be available for encumbrance for 3 years after the date of allocation, with encumbered funds to be available for liquidation for 2 additional years, and further provides that funds not expended within that time limit shall revert to the Traffic Congestion Relief Fund, a continuously appropriated fund.*

*This bill would authorize the commission, with respect to any reverted funds in the Traffic Congestion Relief Fund, to direct the department to reallocate those funds to the same project if the commission makes certain findings.*

(2) *Existing law authorizes the expenditure of toll bridge revenues from the state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission (MTC) for specified*

*purposes, including a marketing program to promote tax-saving opportunities for employers and employees under federal law. Existing law also requires the MTC to adopt a regional transit connectivity plan by December 1, 2005 and a Bay Area Regional Rail Plan by July 1, 2006.*

*This bill would include as part of the marketing program tax deductions that are available under federal law for travel expenses. The bill would also delay the date for MTC to adopt a regional transit connectivity plan to May 1, 2006, and would delay the date for it to adopt the Bay Area Regional Rail Plan to July 1, 2007.*

~~Existing law authorizes the elections official conducting local, special, or consolidated elections, or statewide elections other than the direct primary, presidential primary, or general election, to divide the territory within which the election is to be held into special election or consolidated election precincts by consolidating existing precincts, as specified. Existing law further authorizes that official to change and alter the precincts for those elections as often as needed. Existing law requires the polling place used for a consolidated precinct to be located within the boundaries of the consolidated precinct.~~

~~This bill would additionally require, on and after January 1, 2006, that if the polling place designated for a precinct has been relocated from the location that was used as a polling place during the preceding 2 consecutive statewide elections, the elections official post, or provide to be posted, a notice of the location of the new polling place in a format and manner deemed appropriate by the local elections official. This bill would express the intent of the Legislature that, to the extent possible, the polling place used for a consolidated precinct be established in a facility that is easy to locate, identifiable, easily recognizable, large enough to accommodate the voters of the consolidated precinct, and accessible to elderly and disabled voters. By imposing new duties on local elections officials, 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~~-no.

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

1     SECTION 1. Section 14556.30 of the Government Code is  
2     amended to read:

3     14556.30. (a) After receiving an allocation, the lead  
4     applicant shall make diligent and timely progress toward  
5     completing the work as described in the submitted application. If  
6     timely progress is not achieved, the commission may review the  
7     status of the project. If the commission finds the lead applicant  
8     agency is not pursuing project work diligently, including use of  
9     funds under the agency’s control committed to the project, the  
10    commission may reallocate those funds to another project or  
11    projects listed in Article 5 (commencing with Section 14556.40).

12    (b) If the commission and a lead applicant agency concur that  
13    a project is delayed by factors external to the control of the lead  
14    applicant agency and the factors are not likely to be removed  
15    within a reasonable time, the lead applicant agency may submit  
16    an application for an alternate or substitute project if the alternate  
17    project is designed to relieve congestion consistent with this act,  
18    is within the jurisdiction of the lead applicant agency, and meets  
19    all other project approval requirements.

20    (c) Notwithstanding Section 16304, funds allocated from the  
21    fund shall be available for encumbrance for three years after the  
22    date of allocation, and encumbered funds shall be available for  
23    liquidation for two additional years, ~~unless the time limit is~~  
24    ~~extended by an act of the Legislature.~~ Any funds not expended  
25    by that time-limit shall revert to the fund.

26    (d) *The commission, with respect to any funds that revert to*  
27    *the fund pursuant to subdivision (c), may direct the department to*  
28    *reallocate those funds to the same project if the commission finds*  
29    *that the lead applicant agency is pursuing the project diligently*  
30    *and that the project has been delayed by factors external to the*  
31    *control of the lead applicant agency. In no case may the amount*  
32    *made available for expenditure on a project exceed the amount*  
33    *specified for that project in that article.*

34    SEC. 2. Section 30914 of the Streets and Highways Code is  
35    amended to read:

1 30914. (a) In addition to any other authorized expenditures  
2 of toll bridge revenues, the following major projects may be  
3 funded from toll revenues of all bridges:

4 (1) Dumbarton Bridge: Improvement of the western  
5 approaches from Route 101 if affected local governments are  
6 involved in the planning.

7 (2) San Mateo-Hayward Bridge and approaches: Widening of  
8 the bridge to six lanes, construction of rail transit capital  
9 improvements on the bridge structure, and improvements to the  
10 Route 92/Route 880 interchange.

11 (3) Construction of West Grand connector or an alternate  
12 project designed to provide comparable benefit by reducing  
13 vehicular traffic congestion on the eastern approaches to the San  
14 Francisco-Oakland Bay Bridge. Affected local governments shall  
15 be involved in the planning.

16 (4) Not less than 90 percent of the revenues determined by the  
17 authority as derived from the toll increase approved in 1988 for  
18 class I vehicles on the San Francisco-Oakland Bay Bridge  
19 authorized by Section 30917 shall be used exclusively for rail  
20 transit capital improvements designed to reduce vehicular traffic  
21 congestion on that bridge. This amount shall be calculated as 21  
22 percent of the revenue generated each year by the collection of  
23 the base toll at the level established by the 1988 increase on the  
24 San Francisco-Oakland Bay Bridge.

25 (b) Notwithstanding any funding request for the transbay bus  
26 terminal pursuant to Section 31015, the Metropolitan  
27 Transportation Commission shall allocate toll bridge revenues in  
28 an annual amount not to exceed three million dollars  
29 (\$3,000,000), plus a 3.5-percent annual increase, to the  
30 department or to the Transbay Joint Powers Authority after the  
31 department transfers the title of the Transbay Terminal Building  
32 to that entity, for operation and maintenance expenditures. This  
33 allocation shall be payable from funds transferred by the Bay  
34 Area Toll Authority. This transfer of funds is subordinate to any  
35 obligations of the authority, now or hereafter existing, having a  
36 statutory or first priority lien against the toll bridge revenues. The  
37 first annual 3.5 percent increase shall be made on July 1, 2004.  
38 The transfer is further subject to annual certification by the  
39 department or the Transbay Joint Powers Authority that the total  
40 Transbay Terminal Building operating revenue is insufficient to

1 pay the cost of operation and maintenance without the requested  
2 funding.

3 (c) If the voters approve a toll increase in 2004 pursuant to  
4 Section 30921, the authority shall, consistent with the provisions  
5 of subdivisions (d) and (f), fund the projects described in this  
6 subdivision and in subdivision (d) that shall collectively be  
7 known as the Regional Traffic Relief Plan by bonding or  
8 transfers to the Metropolitan Transportation Commission. These  
9 projects have been determined to reduce congestion or to make  
10 improvements to travel in the toll bridge corridors, from toll  
11 revenues of all bridges:

12 (1) BART/MUNI Connection at Embarcadero and Civic  
13 Center Stations. Provide direct access from the BART platform  
14 to the MUNI platform at the above stations and equip new fare  
15 gates that are TransLink ready. Three million dollars  
16 (\$3,000,000). The project sponsor is BART.

17 (2) MUNI Metro Third Street Light Rail Line. Provide funding  
18 for the surface and light rail transit and maintenance facility to  
19 support MUNI Metro Third Street Light Rail service connecting  
20 to Caltrain stations and the E-Line waterfront line. Thirty million  
21 dollars (\$30,000,000). The project sponsor is MUNI.

22 (3) MUNI Waterfront Historic Streetcar Expansion. Provide  
23 funding to rehabilitate historic street cars and construct trackage  
24 and terminal facilities to support service from the Caltrain  
25 Terminal, the Transbay Terminal, and the Ferry Building, and  
26 connecting the Fisherman's Wharf and northern waterfront. Ten  
27 million dollars (\$10,000,000). The project sponsor is MUNI.

28 (4) East to West Bay Commuter Rail Service over the  
29 Dumbarton Rail Bridge. Provide funding for the necessary track  
30 and station improvements and rolling stock to interconnect the  
31 BART and Capitol Corridor at Union City with Caltrain service  
32 over the Dumbarton Rail Bridge, and interconnect and provide  
33 track improvements for the ACE line with the same Caltrain  
34 service at Centerville. Provide a new station at Sun Microsystems  
35 in Menlo Park. One hundred thirty-five million dollars  
36 (\$135,000,000). The project is jointly sponsored by the San  
37 Mateo County Transportation Authority, Capitol Corridor, the  
38 Alameda County Congestion Management Agency, and the  
39 Alameda County Transportation Improvement Authority.

1 (5) Vallejo Station. Construct intermodal transportation hub  
2 for bus and ferry service, including parking structure, at site of  
3 Vallejo's current ferry terminal. Twenty-eight million dollars  
4 (\$28,000,000). The project sponsor is the City of Vallejo.

5 (6) Solano County Express Bus Intermodal Facilities. Provide  
6 competitive grant fund source, to be administered by the  
7 Metropolitan Transportation Commission. Eligible projects are  
8 Curtola Park and Ride, Benicia Intermodal Facility, Fairfield  
9 Transportation Center and Vacaville Intermodal Station. Priority  
10 to be given to projects that are fully funded, ready for  
11 construction, and serving transit service that operates primarily  
12 on existing or fully funded high-occupancy vehicle lanes. Twenty  
13 million dollars (\$20,000,000). The project sponsor is Solano  
14 Transportation Authority.

15 (7) Solano County Corridor Improvements near Interstate  
16 80/Interstate 680 Interchange. Provide funding for improved  
17 mobility in corridor based on recommendations of joint study  
18 conducted by the Department of Transportation and the Solano  
19 Transportation Authority. Cost-effective transit infrastructure  
20 investment or service identified in the study shall be considered a  
21 high priority. One hundred million dollars (\$100,000,000). The  
22 project sponsor is Solano Transportation Authority.

23 (8) Interstate 80: Eastbound High-Occupancy Vehicle (HOV)  
24 Lane Extension from Route 4 to Carquinez Bridge. Construct  
25 HOV-lane extension. Fifty million dollars (\$50,000,000). The  
26 project sponsor is the Department of Transportation.

27 (9) Richmond Parkway Transit Center. Construct parking  
28 structure and associated improvements to expand bus capacity.  
29 Sixteen million dollars (\$16,000,000). The project sponsor is  
30 Alameda-Contra Costa Transit District, in coordination with  
31 West Contra Costa Transportation Advisory Committee, Western  
32 Contra Costa Transit Authority, City of Richmond, and the  
33 Department of Transportation.

34 (10) Sonoma-Marin Area Rail Transit District (SMART)  
35 Extension to Larkspur or San Quentin. Extend rail line from San  
36 Rafael to a ferry terminal at Larkspur or San Quentin. Thirty-five  
37 million dollars (\$35,000,000). Up to five million dollars  
38 (\$5,000,000) may be used to study, in collaboration with the  
39 Water Transit Authority, the potential use of San Quentin

1 property as an intermodal water transit terminal. The project  
2 sponsor is SMART.

3 (11) Greenbrae Interchange/Larkspur Ferry Access  
4 Improvements. Provide enhanced regional and local access  
5 around the Greenbrae Interchange to reduce traffic congestion  
6 and provide multimodal access to the Richmond-San Rafael  
7 Bridge and Larkspur Ferry Terminal by constructing a new full  
8 service diamond interchange at Wornum Drive south of the  
9 Greenbrae Interchange, extending a multiuse pathway from the  
10 new interchange at Wornum Drive to East Sir Francis Drake  
11 Boulevard and the Cal Park Hill rail right-of-way, adding a new  
12 lane to East Sir Francis Drake Boulevard and rehabilitating the  
13 Cal Park Hill Rail Tunnel and right-of-way approaches for  
14 bicycle and pedestrian access to connect the San Rafael Transit  
15 Center with the Larkspur Ferry Terminal. Sixty-five million  
16 dollars (\$65,000,000). The project sponsor is Marin County  
17 Congestion Management Agency.

18 (12) Direct High-Occupancy Vehicle (HOV) lane connector  
19 from Interstate 680 to the Pleasant Hill or Walnut Creek BART  
20 stations or in close proximity to either station or as an extension  
21 of the southbound Interstate 680 High-Occupancy Vehicle Lane  
22 through the Interstate 680/State Highway Route 4 interchange  
23 from North Main in Walnut Creek to Livorna Road. The County  
24 Connection shall utilize up to one million dollars (\$1,000,000) of  
25 the funds described in this paragraph to develop options and  
26 recommendations for providing express bus service on the  
27 Interstate 680 High-Occupancy Vehicle Lane south of the  
28 Benicia Bridge in order to connect to BART. Upon completion of  
29 the plan, the Contra Costa Transportation Authority shall adopt a  
30 preferred alternative provided by the County Connection plan for  
31 future funding. Following adoption of the preferred alternative,  
32 the remaining funds may be expended either to fund the preferred  
33 alternative or to extend the high-occupancy vehicle lane as  
34 described in this paragraph. Fifteen million dollars  
35 (\$15,000,000). The project is sponsored by the Contra Costa  
36 Transportation Authority.

37 (13) Rail Extension to East Contra Costa/E-BART. Extend  
38 BART from Pittsburg/Bay Point Station to Byron in East Contra  
39 Costa County. Ninety-six million dollars (\$96,000,000). Project  
40 funds may only be used if the project is in compliance with

1 adopted BART policies with respect to appropriate land use  
2 zoning in vicinity of proposed stations. The project is jointly  
3 sponsored by BART and Contra Costa Transportation Authority.

4 (14) Capitol Corridor Improvements in Interstate 80/Interstate  
5 680 Corridor. Fund track and station improvements, including  
6 the Suisun Third Main Track and new Fairfield Station.  
7 Twenty-five million dollars (\$25,000,000). The project sponsor  
8 is Capitol Corridor Joint Powers Authority and the Solano  
9 Transportation Authority.

10 (15) Central Contra Costa Bay Area Rapid Transit (BART)  
11 Crossover. Add new track before Pleasant Hill BART Station to  
12 permit BART trains to cross to return track towards San  
13 Francisco. Twenty-five million dollars (\$25,000,000). The  
14 project sponsor is BART.

15 (16) Benicia-Martinez Bridge: New Span. Provide partial  
16 funding for completion of new five-lane span between Benicia  
17 and Martinez to significantly increase capacity in the I-680  
18 corridor. Fifty million dollars (\$50,000,000). The project sponsor  
19 is the Bay Area Toll Authority.

20 (17) Regional Express Bus North. Competitive grant program  
21 for bus service in Richmond-San Rafael Bridge, Carquinez,  
22 Benicia-Martinez and Antioch Bridge corridors. Provide funding  
23 for park and ride lots, infrastructure improvements, and rolling  
24 stock. Eligible recipients include Golden Gate Bridge Highway  
25 and Transportation District, Vallejo Transit, Napa VINE,  
26 Fairfield-Suisun Transit, Western Contra Costa Transit  
27 Authority, Eastern Contra Costa Transit Authority, and Central  
28 Contra Costa Transit Authority. The Golden Gate Bridge  
29 Highway and Transportation District shall receive a minimum of  
30 one million six hundred thousand dollars (\$1,600,000). Napa  
31 VINE shall receive a minimum of two million four hundred  
32 thousand dollars (\$2,400,000). Twenty million dollars  
33 (\$20,000,000). The project sponsor is the Metropolitan  
34 Transportation Commission.

35 (18) TransLink. Integrate the Bay Area's regional smart card  
36 technology, TransLink, with operator fare collection equipment  
37 and expand system to new transit services. Twenty-two million  
38 dollars (\$22,000,000). The project sponsor is the Metropolitan  
39 Transportation Commission.

1 (19) Real-Time Transit Information. Provide a competitive  
2 grant program for transit operators for assistance with  
3 implementation of high-technology systems to provide real-time  
4 transit information to riders at transit stops or via telephone,  
5 wireless, or Internet communication. Priority shall be given to  
6 projects identified in the commission's connectivity plan adopted  
7 pursuant to subdivision (d) of Section 30914.5. Twenty million  
8 dollars (\$20,000,000). The funds shall be administered by the  
9 Metropolitan Transportation Commission.

10 (20) Safe Routes to Transit: Plan and construct bicycle and  
11 pedestrian access improvements in close proximity to transit  
12 facilities. Priority shall be given to those projects that best  
13 provide access to regional transit services. Twenty-two million  
14 five hundred thousand dollars (\$22,500,000). City Car Share  
15 shall receive two million five hundred thousand dollars  
16 (\$2,500,000) to expand its program within approximately  
17 one-quarter mile of transbay regional transit terminals or stations.  
18 The City Car Share project is sponsored by City Car Share and  
19 the Safe Routes to Transit project is jointly sponsored by the East  
20 Bay Bicycle Coalition and the Transportation and Land Use  
21 Coalition. These sponsors must identify a public agency  
22 cosponsor for purposes of specific project fund allocations.

23 (21) BART Tube Seismic Strengthening. Add seismic capacity  
24 to existing BART tube connecting the east bay with San  
25 Francisco. One hundred forty-three million dollars  
26 (\$143,000,000). The project sponsor is BART.

27 (22) Transbay Terminal/Downtown Caltrain Extension. A new  
28 Transbay Terminal at First and Mission Streets in San Francisco  
29 providing added capacity for transbay, regional, local, and  
30 intercity bus services, the extension of Caltrain rail services into  
31 the terminal, and accommodation of a future high-speed  
32 passenger rail line to the terminal and eventual rail connection to  
33 the east bay. Eligible expenses include project planning, design  
34 and engineering, construction of a new terminal and its  
35 associated ramps and tunnels, demolition of existing structures,  
36 design and development of a temporary terminal, property and  
37 right-of-way acquisitions required for the project, and associated  
38 project-related administrative expenses. A bus- and train-ready  
39 terminal facility, including purchase and acquisition of necessary  
40 rights-of-way for the terminal, ramps, and rail extension, is the

1 first priority for toll funds for the Transbay Terminal/Downtown  
2 Caltrain Extension Project. The temporary terminal operation  
3 shall not exceed five years. One hundred fifty million dollars  
4 (\$150,000,000). The project sponsor is the Transbay Joint  
5 Powers Authority.

6 (23) Oakland Airport Connector. New transit connection to  
7 link BART, Capitol Corridor and AC Transit with Oakland  
8 Airport. The Port of Oakland shall provide a full funding plan for  
9 the connector. Thirty million dollars (\$30,000,000). The project  
10 sponsors are the Port of Oakland and BART.

11 (24) AC Transit Enhanced Bus-Phase 1 on Telegraph Avenue,  
12 International Boulevard, and East 14th Street  
13 (Berkeley-Oakland-San Leandro). Develop enhanced bus service  
14 on these corridors, including bus bulbs, signal prioritization, new  
15 buses, and other improvements. Priority of investment shall  
16 improve the AC connection to BART on these corridors.  
17 Sixty-five million dollars (\$65,000,000). The project sponsor is  
18 AC Transit.

19 (25) Commute Ferry Service for Alameda/Oakland/Harbor  
20 Bay. Purchase two vessels for ferry services between Alameda  
21 and Oakland areas and San Francisco. Second vessel funds to be  
22 released upon demonstration of appropriate terminal locations,  
23 new transit oriented development, adequate parking, and  
24 sufficient landside feeder connections to support ridership  
25 projections. Twelve million dollars (\$12,000,000). The project  
26 sponsor is Water Transit Authority. If the Water Transit  
27 Authority demonstrates to the Metropolitan Transportation  
28 Commission that it has secured alternative funding for the two  
29 vessel purchases described in this paragraph, the funds may be  
30 used for terminal improvements.

31 (26) Commute Ferry Service for Berkeley/Albany. Purchase  
32 two vessels for ferry services between the Berkeley/Albany  
33 Terminal and San Francisco. Parking access and landside feeder  
34 connections must be sufficient to support ridership projections.  
35 Twelve million dollars (\$12,000,000). The project sponsor is  
36 Water Transit Authority. If the Water Transit Authority  
37 demonstrates to the Metropolitan Transportation Commission  
38 that it has secured alternative funding for the two vessel  
39 purchases described in this paragraph, the funds may be used for  
40 terminal improvements. If the Water Transit Authority does not

1 have an entitled terminal site within the Berkeley/Albany  
2 catchment area by 2010 that meets its requirements, the funds  
3 described in this paragraph and the operating funds described in  
4 paragraph (7) of subdivision (d) shall be transferred to another  
5 site in the East Bay. The City of Richmond shall be given first  
6 priority to receive this transfer of funds if it has met the planning  
7 milestones identified in its special study developed pursuant to  
8 paragraph (28).

9 (27) Commute Ferry Service for South San Francisco.  
10 Purchase two vessels for ferry services to the Peninsula. Parking  
11 access and landside feeder connections must be sufficient to  
12 support ridership projections. Twelve million dollars  
13 (\$12,000,000). The project sponsor is Water Transit Authority. If  
14 the Water Transit Authority demonstrates to the Metropolitan  
15 Transportation Commission that it has secured alternative  
16 funding for the two vessel purchases described in this paragraph,  
17 the funds may be used for terminal improvements.

18 (28) Water Transit Facility Improvements, Spare Vessels, and  
19 Environmental Review Costs. Provide two backup vessels for  
20 ~~Water Transit Authority~~ *water transit* services, expand berthing  
21 capacity at the Port of San Francisco, and expand environmental  
22 studies and design for eligible locations. Forty-eight million  
23 dollars (\$48,000,000). The project sponsor is Water Transit  
24 Authority. Up to one million dollars (\$1,000,000) of the funds  
25 described in this paragraph shall be made available for the Water  
26 Transit Authority to study accelerating development and other  
27 milestones that would potentially increase ridership at the City of  
28 Richmond ferry terminal.

29 (29) Regional Express Bus Service for San Mateo,  
30 Dumbarton, and Bay Bridge Corridors. Expand park and ride  
31 lots, improve HOV access, construct ramp improvements, and  
32 purchase rolling stock. Twenty-two million dollars  
33 (\$22,000,000). The project sponsors are AC Transit and Alameda  
34 County Congestion Management Agency.

35 (30) I-880 North Safety Improvements. Reconfigure various  
36 ramps on I-880 and provide appropriate mitigations between 29th  
37 Avenue and 16th Avenue. Ten million dollars (\$10,000,000).  
38 The project sponsors are Alameda County Congestion  
39 Management Agency, City of Oakland, and the Department of  
40 Transportation.

1 (31) BART Warm Springs Extension. Extension of the  
2 existing BART system from Fremont to Warm Springs in  
3 southern Alameda County. Ninety-five million dollars  
4 (\$95,000,000). Up to ten million dollars (\$10,000,000) shall be  
5 used for grade separation work in the City of Fremont necessary  
6 to extend BART. The project would facilitate a future rail service  
7 extension to the Silicon Valley. The project sponsor is BART.

8 (32) I-580 (Tri Valley) Rapid Transit Corridor Improvements.  
9 Provide rail or High-Occupancy Vehicle lane direct connector to  
10 Dublin BART and other improvements on I-580 in Alameda  
11 County for use by express buses. Sixty-five million dollars  
12 (\$65,000,000). The project sponsor is Alameda County  
13 Congestion Management Agency.

14 (33) Regional Rail Master Plan. Provide planning funds for  
15 integrated regional rail study pursuant to subdivision (f) of  
16 Section 30914.5. Six million five hundred thousand dollars  
17 (\$6,500,000). The project sponsors are Caltrain and BART.

18 (34) Integrated Fare Structure Program. Provide planning  
19 funds for the development of zonal monthly transit passes  
20 pursuant to subdivision (e) of Section 30914.5. One million five  
21 hundred thousand dollars (\$1,500,000). The project sponsor is  
22 the Translink Consortium.

23 (35) Transit Commuter Benefits Promotion. Marketing  
24 program to promote tax-saving opportunities for employers and  
25 employees as specified in Section 132(f)(3) *or* 162(a) of the  
26 Internal Revenue Code. Goal is to increase the participation rate  
27 of employers offering employees a tax-free benefit to commute  
28 to work by transit. The project sponsor is the Metropolitan  
29 Transportation Commission. Five million dollars (\$5,000,000).

30 (36) Caldecott Tunnel Improvements. Provide funds to plan  
31 and construct a fourth bore at the Caldecott Tunnel between  
32 Contra Costa and Alameda Counties. The fourth bore will be a  
33 two-lane bore with a shoulder or shoulders north of the current  
34 three bores. The County Connection shall study all feasible  
35 alternatives to increase transit capacity in the westbound corridor  
36 of State Highway Route 24 between State Highway Route 680  
37 and the Caldecott Tunnel, including the study of the use of an  
38 express lane, high-occupancy vehicle lane, and an auxiliary lane.  
39 The cost of the study shall not exceed five hundred thousand  
40 dollars (\$500,000) and shall be completed not later than January

1 15, 2006. Fifty million five hundred thousand dollars  
2 (\$50,500,000). The project sponsor is the Contra Costa  
3 Transportation Authority.

4 (d) Not more than 38 percent of the revenues generated from  
5 the toll increase shall be made available annually for the purpose  
6 of providing operating assistance for transit services as set forth  
7 in the authority's annual budget resolution. The funds shall be  
8 made available to the provider of the transit services subject to  
9 the performance measures described in Section 30914.5. If the  
10 funds cannot be obligated for operating assistance consistent with  
11 the performance measures, these funds shall be obligated for  
12 other operations consistent with this chapter.

13 Except for operating programs that do not have planned  
14 funding increases and subject to the 38-percent limit on total  
15 operating cost funding in any single year, following the first year  
16 of scheduled operations, an escalation factor, not to exceed 1.5  
17 percent per year, shall be added to the operating cost funding  
18 through fiscal year 2015–16, to partially offset increased  
19 operating costs. The escalation factors shall be contained in the  
20 operating agreements described in Section 30914.5. Subject to  
21 the limitations of this paragraph, the Metropolitan Transportation  
22 Commission may annually fund the following operating  
23 programs as another component of the Regional Traffic Relief  
24 Plan:

25 (1) Golden Gate Express Bus Service over the Richmond  
26 Bridge (Route 40). Two million one hundred thousand dollars  
27 (\$2,100,000).

28 (2) Napa Vine Service terminating at the Vallejo Intermodal  
29 Terminal. Three hundred ninety thousand dollars (\$390,000).

30 (3) Regional Express Bus North Pool serving the Carquinez  
31 and Benicia Bridge Corridors. Three million four hundred  
32 thousand dollars (\$3,400,000).

33 (4) Regional Express Bus South Pool serving the Bay Bridge,  
34 San Mateo Bridge, and Dumbarton Bridge Corridors. Six million  
35 five hundred thousand dollars (\$6,500,000).

36 (5) Dumbarton Rail. Five million five hundred thousand  
37 dollars (\$5,500,000).

38 (6) Water Transit Authority, Alameda/Oakland/Harbor Bay. A  
39 portion of the operating funds may be dedicated to landside

1 transit operations. Six million four hundred thousand dollars  
2 (\$6,400,000).

3 (7) Water Transit Authority, Berkeley/Albany. A portion of  
4 the operating funds may be dedicated to landside transit  
5 operations. Three million two hundred thousand dollars  
6 (\$3,200,000).

7 (8) Water Transit Authority, South San Francisco. A portion  
8 of the operating funds may be dedicated to landside operations.  
9 Three million dollars (\$3,000,000).

10 (9) Vallejo Ferry. Two million seven hundred thousand dollars  
11 (\$2,700,000).

12 (10) Owl Bus Service on BART Corridor. One million eight  
13 hundred thousand dollars (\$1,800,000).

14 (11) MUNI Metro Third Street Light Rail Line. Two million  
15 five hundred thousand dollars (\$2,500,000) without escalation.

16 (12) AC Transit Enhanced Bus Service on Telegraph Avenue,  
17 International Boulevard, and East 14th Street in  
18 Berkeley-Oakland-San Leandro. Three million dollars  
19 (\$3,000,000) without escalation.

20 (13) TransLink, three-year operating program. Twenty million  
21 dollars (\$20,000,000) without escalation.

22 (14) Water Transit Authority, regional planning and  
23 operations. Three million dollars (\$3,000,000) without  
24 escalation.

25 (e) For all projects authorized under subdivision (c), the  
26 project sponsor shall submit an initial project report to the  
27 Metropolitan Transportation Commission before July 1, 2004.  
28 This report shall include all information required to describe the  
29 project in detail, including the status of any environmental  
30 documents relevant to the project, additional funds required to  
31 fully fund the project, the amount, if any, of funds expended to  
32 date, and a summary of any impediments to the completion of the  
33 project. This report, or an updated report, shall include a detailed  
34 financial plan and shall notify the commission if the project  
35 sponsor will request toll revenue within the subsequent 12  
36 months. The project sponsor shall update this report as needed or  
37 requested by the commission. No funds shall be allocated by the  
38 commission for any project authorized by subdivision (c) until  
39 the project sponsor submits the initial project report, and the  
40 report is reviewed and approved by the commission.

1 If multiple project sponsors are listed for projects listed in  
2 subdivision (c), the commission shall identify a lead sponsor in  
3 coordination with all identified sponsors, for purposes of  
4 allocating funds. For any projects authorized under subdivision  
5 (c), the commission shall have the option of requiring a  
6 memorandum of understanding between itself and the project  
7 sponsor or sponsors that shall include any specific requirements  
8 that must be met prior to the allocation of funds provided under  
9 subdivision (c).

10 (f) The Metropolitan Transportation Commission shall  
11 annually assess the status of programs and projects and shall  
12 allocate a portion of funding made available under Section 30921  
13 or 30958 for public information and advertising to support the  
14 services and projects identified in subdivisions (c) and (d). If an  
15 operating program or project cannot achieve its performance  
16 objectives described in subdivision (a) of Section 30914.5 or if a  
17 program or project cannot be completed or cannot continue due  
18 to delivery or financing obstacles making the completion or  
19 continuation of the program or project unrealistic, the  
20 commission shall consult with the program or the project  
21 sponsor. After consulting with the sponsor, the commission shall  
22 hold a public hearing concerning the project. After the hearing,  
23 the commission may vote to modify the program or the project's  
24 scope, decrease its level of funding, or to reassign all of the funds  
25 to another or an additional regional transit program or project  
26 within the same corridor. If a program or project does not meet  
27 the required performance measures, the commission shall give  
28 the sponsor a time certain to achieve the performance measures  
29 or have its funding reassigned.

30 (g) If the voters approve a toll increase pursuant to Section  
31 30921, the authority shall within 24 months of the election date,  
32 include the projects in a long-range plan that are consistent with  
33 the commission's findings required by this section and Section  
34 30914.5. The authority shall update its long-range plan as  
35 required to maintain its viability as a strategic plan for funding  
36 projects authorized by this section. The authority shall by  
37 January 1, 2007, submit its updated long-range plan to the  
38 transportation policy committee of each house of the Legislature  
39 for review.

1 (h) If the voters approve a toll increase pursuant to Section  
2 30921, and if additional funds from this toll increase are  
3 available following the funding obligations of subdivisions (c)  
4 and (d), the authority may set aside a reserve to fund future  
5 rolling stock replacement to enhance the sustainability of the  
6 services enumerated in subdivision (d). The authority shall, by  
7 January 1, 2020, submit a 20-year toll bridge expenditure plan to  
8 the Legislature for adoption. This expenditure plan shall have, as  
9 its highest priority, replacement of transit vehicles purchased  
10 pursuant to subdivision (c).

11 *SEC. 3. Section 30914.5 of the Streets and Highways Code is*  
12 *amended to read:*

13 30914.5. (a) Prior to the allocation of revenue for transit  
14 operating assistance under subdivision (d) of Section 30914, the  
15 Metropolitan Transportation Commission shall adopt  
16 performance measures related to fare-box recovery, ridership,  
17 and other performance measures as needed. The performance  
18 measures shall be developed in consultation with the affected  
19 transit operators and the commission's advisory council.

20 (b) The Metropolitan Transportation Commission shall  
21 execute an operating agreement with the sponsors of the projects  
22 described in subdivision (d) of Section 30914. This agreement  
23 shall include, at a minimum, a fully funded operating plan that  
24 conforms to and is consistent with the adopted performance  
25 measures. The agreement shall also include a schedule of  
26 projected fare revenues or other operating revenues to indicate  
27 that the service is viable in the near-term and is expected to meet  
28 the adopted performance measures in future years. For any  
29 individual project sponsor, this operating agreement may include  
30 additional requirements, as determined by the commission, to be  
31 met prior to the allocation of transit assistance under subdivision  
32 (d) of Section 30914.

33 (c) Prior to the annual allocation of transit operating assistance  
34 funds by the Metropolitan Transportation Commission pursuant  
35 to subdivision (d) of Section 30914, the Metropolitan  
36 Transportation Commission shall conduct, or shall require the  
37 sponsoring agency to conduct, an independent audit that contains  
38 audited financial information, including an opinion on the status  
39 and cost of the project and its compliance with the approved  
40 performance measures. Notwithstanding this requirement, each

1 operator shall be given a one-year trial period to operate new  
2 service. In the first year of new service, the sponsor shall develop  
3 a reporting and accounting structure for the performance  
4 measures. Commencing with the third operating year, sponsors  
5 shall be subject to the approved performance measures.

6 (d) The Metropolitan Transportation Commission shall adopt  
7 a regional transit connectivity plan by ~~December 1, 2005~~ *May 1,*  
8 *2006*. The connectivity plan shall be incorporated into the  
9 commission’s Transit Coordination Implementation Plan  
10 pursuant to Section 66516.5 of the Government Code. The  
11 connectivity plan shall require operators to comply with the plan  
12 utilizing commission authority pursuant to Section 66516.5 of the  
13 Government Code. The commission shall consult with the  
14 Partnership Transit Coordination Council in developing a plan  
15 that identifies and evaluates opportunities for improving transit  
16 connectivity and shall include, but not be limited to, the  
17 following components:

18 (1) A network of key transit hubs connecting regional rapid  
19 transit services to one another, and to feeder transit services.  
20 “Regional rapid transit” means long-haul transit service that  
21 crosses county lines, and operates mostly in dedicated  
22 rights-of-way, including freeway high-occupancy vehicle lanes,  
23 crossing a bridge, or on the bay. The identified transit hubs shall  
24 operate either as a timed transfer network or as pulsed hub  
25 connections, providing regularly scheduled connections between  
26 two or more transit lines.

27 (2) Physical infrastructure and right-of-way improvements  
28 necessary to improve system reliability and connections at transit  
29 hubs. Physical infrastructure improvements may include, but are  
30 not limited to, improved rail-to-rail transfer facilities, including  
31 cross-platform transfers, and intermodal transit improvements  
32 that facilitate rail-to-bus, rail-to-ferry, ferry-to-ferry, ferry-to bus,  
33 and bus-to-bus transfers. Capital improvements identified in the  
34 plan shall be eligible for funding in the commission’s regional  
35 transportation plan.

36 (3) Regional standards and procedures to ensure maximum  
37 coordination of schedule connections to minimize transfer times  
38 between transit lines at key transit hubs, including, but not  
39 limited to, the following:

40 (A) Policies and procedures for improved fare collection.

1 (B) Enhanced trip-planning services, including Internet-based  
2 programs, telephone information systems, and printed schedules.

3 (C) Enhanced schedule coordination through the  
4 implementation of real-time transit-vehicle location systems that  
5 facilitate communication between systems and result in improved  
6 timed transfers between routes.

7 (D) Performance measures and data collection to monitor the  
8 performance of the connectivity plan.

9 The connectivity plan shall focus on, but not be limited to,  
10 feeder transit lines connecting to regional rapid transit services,  
11 and the connection of regional rapid transit services to one  
12 another. The connectivity plan shall be adopted following a  
13 Metropolitan Transportation Commission public hearing at least  
14 60 days prior to adoption. The commission shall adopt  
15 performance measures and collect appropriate data to monitor the  
16 performance of the connectivity plan. The plan shall be evaluated  
17 every three years by the commission as part of the update to its  
18 regional transportation plan. No agency shall be eligible to  
19 receive funds under this section unless the agency is a participant  
20 operator in the commission's regional transit connectivity plan.

21 The provisions of this subdivision shall only be effective if the  
22 voters approve the toll increase as set forth in Section 30921, and  
23 the expenditures incurred by the Metropolitan Transportation  
24 Commission up to five hundred thousand dollars (\$500,000) that  
25 are related to the requirements of this subdivision, including any  
26 study, shall be reimbursed from toll revenues identified in  
27 paragraph (33) of subdivision (c) of Section 30914.

28 (e) The TransLink Consortium, per the TransLink Interagency  
29 Participation Agreement, shall by July 1, 2007, develop a plan  
30 for an integrated fare program covering all regional rapid transit  
31 trips funded in full or in part by this section. "Regional rapid  
32 transit" means long-haul transit services that cross county lines,  
33 and operate mostly in dedicated rights-of-way, including freeway  
34 high-occupancy vehicle lanes, crossing a bridge, or on the bay.  
35 Interregional rail services, originating or terminating from  
36 outside the Bay Area, shall not be considered regional rapid  
37 transit. The purpose of the integrated fare program is to  
38 encourage greater use of the region's transit network by making  
39 it easier and less costly for transit riders whose regular commute  
40 involves multizonal travel and may involve the transfer between

1 two or more transit agencies, including regional-to-regional and  
2 regional-to-local transfers. The integrated fare program shall  
3 include a zonal fare system for the sole purpose of creating a  
4 monthly zonal pass (monthly pass), allowing for unlimited or  
5 discounted fares for transit riders making a minimum number of  
6 monthly transit trips between two or more zones. The number of  
7 minimum trips shall be established by the plan. The integrated  
8 fare program shall not apply to fare structures that are not  
9 purchased on a monthly basis. For the purposes of these zonal  
10 fares, geographic zones shall be created in the Bay Area. To the  
11 extent practical, zone boundaries for overlapping systems shall  
12 be in the same places and shall correspond to the boundaries of  
13 the local transit service areas. A regional rapid transit zone may  
14 cover more than one local service area, or may subdivide an  
15 existing local service area. The monthly pass shall be created in  
16 at least the following two forms:

17 (1) For the use of interzonal regional rapid transit trips without  
18 local transit discounts.

19 (2) For the use of interzonal regional rapid transit trips with  
20 local transit discounts. The plan may recommend the elimination  
21 of existing transit pass arrangements to simplify the marketing of  
22 the monthly pass. The integrated fare program shall establish a  
23 monitoring program to evaluate the impact of the integrated fare  
24 program on the operating finances of the participating agencies.  
25 The integrated fare program shall be adjusted as necessary to  
26 ensure that the program does not jeopardize the viability of local  
27 or regional rapid transit routes impacted by the program, and to  
28 the extent feasible, provide an equitable revenue sharing  
29 arrangement among the participating agencies. This subdivision  
30 shall only be effective if the voters approve the toll increase as  
31 set forth in Section 30921, and any expenditures related to the  
32 implementation of this subdivision incurred by the TransLink  
33 Consortium shall be reimbursed by toll revenues designated in  
34 paragraph (34) of subdivision (c) of Section 30914.

35 (f) The Metropolitan Transportation Commission (MTC) shall,  
36 by July 1, ~~2006~~ 2007, adopt a Bay Area Regional Rail Plan  
37 (plan) for the development of passenger rail services in the San  
38 Francisco Bay Area over the short, medium, and long term. The  
39 plan shall formulate strategies to integrate passenger rail systems,  
40 improve interfaces with connecting services, expand the regional

1 rapid transit network, and coordinate investments with  
2 transit-supportive land use. The plan shall be governed by a  
3 steering committee consisting of appointees from the Department  
4 of Transportation (Caltrans), the San Francisco Bay Area Rapid  
5 Transit District (BART), Caltrain, the National Railroad  
6 Passenger Corporation (Amtrak), the Capitol Corridor Joint  
7 Powers Authority, the Altamont Commuter Express, the  
8 High-Speed Rail Authority, the Metropolitan Transportation  
9 Commission (MTC), the Sonoma-Marín Area Rail Transit  
10 District (SMART), the Santa Clara Valley Transportation  
11 Authority, the Solano Transportation Authority, and the owners  
12 of standard gauge rail. Congestion management agencies and  
13 other agencies as determined by the steering committee shall be  
14 invited as nonvoting members. Under policy guidance from the  
15 steering committee and with input from Bay Area transit  
16 agencies, Caltrain, and BART shall provide day-to-day  
17 management and technical support for the development of this  
18 plan. The plan proposals shall be evaluated using performance  
19 criteria, including, but not limited to, transit-supportive land use  
20 and access, ridership, cost-effectiveness, regional network  
21 connectivity, and capital and operating financial stability.  
22 Additional performance criteria shall be developed as necessary.  
23 The plan shall include, but not be limited to, all of the following:  
24 (1) Identification of issues in connectivity, access, capacity,  
25 operations and cost-effectiveness.  
26 (2) Identification of opportunities to enhance rail connectivity  
27 and to maximize passenger convenience when transferring  
28 between systems.  
29 (3) Recommendation of improvements to the interface with  
30 shuttles, buses, other rail systems, and other feeder modes.  
31 (4) Identification of potential impacts on capacity constraints  
32 and operations on existing passenger and freight carriers.  
33 (5) Identification of bottlenecks where added capacity could  
34 cost-effectively increase performance.  
35 (6) Recommendation of potential efficiency improvements  
36 through economies of scale, such as through joint vehicle  
37 procurement and maintenance facilities.  
38 (7) Recommendation of strategies to acquire right-of-way and  
39 station property to preserve future service options.

1 (8) Identification of potential capital and operating funding  
2 sources for proposed actions.

3 (9) Identification of locations where the presence of passenger  
4 rail could stimulate redevelopment and thereby direct growth to  
5 the urban core.

6 (10) Recommendation of technology-appropriate service  
7 expansion in specific corridors. Technologies to be considered  
8 include conventional rail transit modes, bus rapid transit, and  
9 emerging rail technologies. Identify phasing strategies for the  
10 implementation of rail services where appropriate.

11 (11) Examination of how recommendations would integrate  
12 with proposed high-speed rail to the Central Valley and southern  
13 California. Up to two million five hundred thousand dollars  
14 (\$2,500,000) of the funds described in paragraph (33) of  
15 subdivision (c) of Section 30914 may be expended by the  
16 Metropolitan Transportation Commission and the High-Speed  
17 Rail Authority to study Bay Area access to the high-speed rail  
18 system. Up to five hundred thousand dollars (\$500,000) of the  
19 funds described in paragraph (33) of subdivision (c) of Section  
20 30914 may be expended by the Metropolitan Transportation  
21 Commission and the High-Speed Rail Authority to study the  
22 feasibility and construction of an intermodal transfer hub at Niles  
23 (Shinn Street) Junction. The Metropolitan Transportation  
24 Commission and the High-Speed Rail Authority, or its successor,  
25 shall collaborate with a steering committee in conducting these  
26 studies.

27 (12) Recommendation of a governance strategy to implement  
28 and operate future regional rapid transit services.

29 This subdivision shall only be effective if the voters approve  
30 the toll increase as set forth in Section 30921. Any expenditures  
31 incurred by the Metropolitan Transportation Commission or the  
32 project sponsors identified in paragraph (33) of subdivision (c) of  
33 Section 30914 related to the requirements of this subdivision,  
34 including any study and administration, shall be appropriate  
35 charges against toll revenue to be reimbursed from toll revenues.

36 ~~SECTION 1. Section 12241 of the Elections Code, as added~~  
37 ~~by Section 5 of Chapter 904 of the Statutes of 2001, is amended~~  
38 ~~to read:~~

39 ~~12241. (a) The elections official conducting local, special, or~~  
40 ~~consolidated elections, or statewide elections other than the direct~~

1 primary, presidential primary, or general election, for the purpose  
 2 of the election, may divide the territory within which the election  
 3 is to be held into special election or consolidated election  
 4 precincts by consolidating existing precincts, or otherwise,  
 5 subject to Section 12222, and may change and alter the precincts  
 6 for those elections as often as occasion requires.

7 (b) ~~Not more than six existing precincts may be consolidated~~  
 8 ~~into one special election or consolidated election precinct.~~

9 (c) ~~The polling place used for a consolidated precinct shall be~~  
 10 ~~located within the boundaries of the consolidated precinct.~~

11 -

12 (d) ~~Commencing January 1, 2006, if the polling place~~  
 13 ~~designated for any precinct has been relocated from the location~~  
 14 ~~used during the preceding two consecutive statewide elections,~~  
 15 ~~the elections official shall post, or provide to be posted, a notice~~  
 16 ~~of the location of the new polling place in a format and manner~~  
 17 ~~deemed appropriate by the local elections official.~~

18 (e) ~~It is the intent of the Legislature that, to the extent possible,~~  
 19 ~~the polling place used for a consolidated precinct be established~~  
 20 ~~in a facility that is easy to locate, easily identifiable and~~  
 21 ~~recognizable, large enough to accommodate the voters of the~~  
 22 ~~consolidated precinct, and accessible to elderly and disabled~~  
 23 ~~voters.~~

24 ~~SEC. 2.— If the Commission on State Mandates determines that~~  
 25 ~~this act contains costs mandated by the state, reimbursement to~~  
 26 ~~local agencies and school districts for those costs shall be made~~  
 27 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
 28 ~~4 of Title 2 of the Government Code.~~