

AMENDED IN SENATE APRIL 5, 2016

**SENATE BILL**

**No. 1141**

---

---

**Introduced by Senator Moorlach**

February 18, 2016

---

---

An act to add Section 155.7 to the Streets and Highways Code, relating to state highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1141, as amended, Moorlach. State highways: transfer to local agencies: pilot program.

Existing law provides that the Department of Transportation has full possession and control of all state highways and associated property, and sets forth the powers and duties with respect to operation, maintenance, and improvement of state highways. Existing law authorizes the California Transportation Commission to exercise various powers and duties on transportation matters, including the allocation of certain transportation capital improvement funds available to the state.

This bill would require the department to participate in a pilot program over a 5-year period under which 2 counties, one in northern California and one in southern California, ~~are~~ *may be* selected to operate, maintain, and make improvements to all state highways, including freeways, in the affected county. The bill would require the department, with respect to those counties, for the duration of the pilot program, to convey all of its authority and responsibility over state highways in the county to the county or to a regional transportation agency that has jurisdiction in the county. The bill would require the commission to administer and oversee the pilot program and to select the *county or counties* ~~that will participate~~ *participating in the program*. ~~program~~ *program by January 1, 2018,*

*from applications received, but would provide that participation of a county in the pilot program is voluntary.* The bill would require certain moneys to be appropriated for these purposes as a block grant in the annual Budget Act to a participating county, as specified. The bill would authorize any cost savings realized by a participating county to be used by the county for other transportation priorities. The bill would require the participating counties to report to the Legislature upon the conclusion of the pilot program. *The bill would provide that its provisions shall become inoperative on January 15, 2018, if the commission is unable to select at least one county to participate in the pilot program because no county has submitted an application to the commission.*

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

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

1 SECTION 1. Section 155.7 is added to the Streets and  
2 Highways Code, to read:  
3 155.7. (a) The department shall participate in a pilot program  
4 over a five-year period under which two counties, one in northern  
5 California and one in southern California, ~~shall~~ *may* be selected  
6 *pursuant to subdivision (b)* to operate, maintain, and make  
7 improvements to all state highways, including freeways, in the  
8 affected county. The department, with respect to those counties,  
9 shall, for the duration of the pilot program, convey all of its  
10 authority and responsibility over state highways in the county to  
11 the county or to a regional transportation agency that has  
12 jurisdiction in the county. ~~The pilot program shall commence no~~  
13 ~~later than January 1, 2018.~~  
14 (b) The commission shall administer and oversee the pilot  
15 program and shall, from applications received, select the *county*  
16 *or counties* that will participate in the ~~program.~~ *program no later*  
17 *than January 1, 2018.* The commission shall exercise the same  
18 level of oversight over expenditure of state highway resources in  
19 a participating county as it exercises over the department with  
20 respect to state highways in nonparticipating counties. *Participation*  
21 *of a county in the pilot program is voluntary.*  
22 (c) *If the commission is unable to select at least one county to*  
23 *participate in the pilot program by January 1, 2018, because no*

1 *county has submitted an application to the commission, this section*  
2 *shall become inoperative on January 15, 2018.*

3 ~~(e)~~

4 (d) For the duration of the pilot program, moneys shall be  
5 appropriated as a block grant in the annual Budget Act to a  
6 participating county in an amount equivalent to federal and state  
7 funds otherwise to be expended by the department on the state  
8 highways in the county, including, among other things, funding  
9 for operations, maintenance, capital outlay support, the State  
10 Highway Operation and Protection Program, and the State  
11 Transportation Improvement Program. The commission, in  
12 consultation with the department, shall determine the applicable  
13 grant amounts for each participating county and shall submit its  
14 recommendations to the Governor and the Legislature.

15 ~~(e)~~

16 (e) Any cost savings realized by a participating county,  
17 compared to comparable expenditures that otherwise would have  
18 been undertaken by the department on state highways in the county  
19 in the absence of the pilot program, may be used by the county for  
20 other transportation priorities consistent with eligible expenditures  
21 for the funding source involved, subject to approval by the  
22 commission.

23 ~~(e)~~

24 (f) The participating counties shall report to the Legislature upon  
25 the conclusion of the pilot program, in the manner provided in  
26 Section 9795 of the Government Code.