

## STAFF REPORT

SUBJECT: Legislative Update

FROM: Jennifer Yeamans, Senior Grants & Management Specialist

DATE: March 25, 2025

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### **Action Requested**

Receive an informational update on recent legislative activities in Washington, D.C. and Sacramento and refer one position to the Board of Directors for approval.

### **Background**

In February 2025, the Board of Directors approved LAVTA's 2025 Legislative Program to support LAVTA's advocacy needs and priorities in the coming year. Since then, LAVTA staff along with our state and federal advocacy partners have tracked the full scope of legislative initiatives in both Sacramento and Washington, D.C., in consideration of LAVTA's interests. This update reports on recent legislative activities and recommends one "Support if Amended" position on high-priority legislation introduced in Sacramento last month.

### **Discussion**

#### *Federal Activities*

The most recent weekly report from LAVTA's Washington, D.C., representative Carpi & Clay is included as Attachment 1. Carpi & Clay advise LAVTA staff promptly and frequently of all developments occurring within the new Administration as they occur, with a focus on actions that have greatest potential to be of impact to LAVTA's projects and priorities.

On Friday, March 14, Congress passed yearlong Continuing Resolution for the remainder of federal Fiscal Year (FY) 2025. In general, the full-year Continuing Resolution (CR) funds government programs, including programs of the Transportation, Housing and Urban Development, and Related Agencies (THUD) Appropriations Act which includes Federal Transit Administration funding, through September 30 at the same levels as FY 2024.

With funding activities for the current fiscal year complete, Congress is expected to begin work on FY 2026 appropriations, which will include the final year of funding authorized under the five-year Infrastructure Investment and Jobs Act known as the Bipartisan Infrastructure Law. As such, relevant committees in both the House and the Senate are preparing to begin work on surface-transportation reauthorization legislation this coming year. As this funding source comprises a significant portion of LAVTA's capital program

including various unmet capital needs, LAVTA staff will engage with this process with both our Congressional delegation as well as industry stakeholders such as the American Public Transportation Association to ensure LAVTA’s interests are actively represented in the process. Supported by our federal lobbying team, staff plans to travel to Washington later this month to meet with our Congressional delegation, Committee staff, and Administration officials, and convey LAVTA’s needs and priorities as these and other legislative and policy initiatives begin to advance.

#### *State Activities*

The deadline to introduce bills for this new legislative session in Sacramento was February 21. A summary of state bills LAVTA and its Sacramento advocate Townsend Public Affairs (TPA) are currently tracking is included as Attachment 2, with suggested positions for future Board consideration. Staff and TPA have reviewed all newly introduced bills for relevance to LAVTA’s adopted Legislative Program and at this time is recommending one position on a bill that was introduced in “spot” form and is currently being refined in close consultation with key stakeholders into formal amendments anticipated to be published prior to referral to April Policy committee(s).

Concurrently, and as was reported to the Board earlier this month, last month many Bay Area transit operators including LAVTA signed on to a letter representing a broad coalition of stakeholder interests in support of a one-time allocation of \$2 billion in new statewide funding over two years, to bridge the operational “fiscal cliff” faced by many large transit operators and avert major service cuts until longer-term funding solutions are secured through other means, including local voter initiatives like the one under development in the Bay Area.

#### ***SB 63 (Wiener, Arreguin) – Local Transportation Funding Revenue Measure – SUPPORT IF AMENDED***

Continuing efforts from the previous legislative session with SB 1031, this bill co-authored by Sen. Scott Wiener (D–San Francisco) and Sen. Jesse Arreguin (D-Berkeley) would authorize a multi-county transportation funding measure to be put to voters in 2026 to provide emergency operating funding for regional transit operators currently facing a “fiscal cliff” of operating revenue shortfalls, in order to avoid deep service cuts. Currently all multi-county measure options, including the most narrowly focused, would include Alameda County, and the core “regional operators” to be prioritized for new revenues are likely to include:

<b>Operator</b>	<b>County/ies Served</b>
BART	Alameda, Contra Costa, San Francisco, San Mateo
Caltrain	San Francisco, San Mateo, Santa Clara
AC Transit	Alameda, Contra Costa
SF MTA	San Francisco

LAVTA’s 2025 Legislative Program aims to participate actively and strategically in developing the authorization language for a regional transportation revenue measure by advocating for a return-to-source of any new revenues and maintenance of effort of all

existing revenue streams. Our adopted program also aims to work proactively to address any related provisions concerning transit governance and/or administration that resulted in opposition from many transit operators, including LAVTA, to this bill's predecessor from the previous legislative session.

The LAVTA Board should convey a desire to the bill's authors that our important needs and priorities be reflected in authorizing language that results in a revenue measure that can ultimately be successful before voters throughout a multi-county area.

For these reasons, staff recommends a **Support If Amended** position on this bill to ensure desired amendments will receive due consideration in the process.

### **Next Steps**

LAVTA and TPA staff will continue to discuss desired amendments to SB 63 with the bill's authors and others to enable a future **"Support"** position.

A substantial number of identified bills are pending published amendments, and staff with the support of TPA will continue to monitor these and other bills of interest to LAVTA and provide updates to the Finance & Administration Committee and/or the Board as may be appropriate.

### **Fiscal Impact**

None

### **Recommendation**

Staff recommends the Committee accept this report and refer one legislative position to the Board of Directors for approval:

- SB 63 (Wiener, Arreguin) – Local Revenue Measure: Transportation Funding –  
**SUPPORT IF AMENDED**

### **Attachments:**

1. Federal Transportation Weekly Update (March 1 – 14)
2. State Legislative Matrix (as of March 18)

**March 14, 2025**

*\* Note: This issue covers activities from March 1<sup>st</sup> – March 14<sup>th</sup>.*

## THIS WEEK IN CONGRESS

**House Subcommittee Holds Hearing on ATC Staffing.** On March 4<sup>th</sup>, the Aviation Subcommittee of the Transportation & Infrastructure Committee held a hearing titled “America Builds: Air Traffic Control System Infrastructure and Staffing”. Witnesses included representatives from the Government Accountability Office (GAO), Airlines for America (A4A), General Aviation Manufacturers Association (GAMA), the National Air Traffic Controllers Association (NATCA), Professional Aviation Safety Specialists (PASS), and Rinaldi Consultants. In his opening statement, Chair Troy Nehls (R-TX) emphasized that the current air traffic control system is unsustainable and in urgent need of modernization, stable funding, and increased controller hiring. Citing a GAO report that found 51 of 138 ATC systems to be “unsustainable,” he called for bipartisan cooperation to seize this unique opportunity to invest in critical infrastructure and ensure the long-term success of the aviation industry.

[MORE INFORMATION](#)

## THIS WEEK AT THE DEPARTMENT OF TRANSPORTATION

**DOT Issues a Memo Providing Guidance on Competitive Grants and Compliance with EO.** DOT has issued guidance for competitive grant and cooperative agreement awards made after January 20, 2021, that lack fully obligated agreements. This guidance mandates that all selections align with current Administration priorities, including Executive Orders (EO) focused on energy, climate, diversity, and economic analysis. It requires a comprehensive review of all awards from FY 2022–2025 that have not been fully obligated, particularly those supporting equity, DEI, climate change, environmental justice, bicycle infrastructure, and electric vehicle projects. Programs meeting these criteria will undergo project-by-project reviews, with identified elements flagged for potential removal or revision. If necessary, award scopes must

be modified to align with statutory requirements and Administration priorities, with final decisions made by the Office of the Assistant Secretary for Transportation Policy and the Office of the General Counsel.

### **MORE INFORMATION**

**DOT IG Publishes Report on Steps Taken by FAA to Prevent and Mitigate Runway Incursions.** The DOT's Office of Inspector General (DOT IG) has published a report titled [FAA Has Taken Steps to Prevent and Mitigate Runway Incursions, but Work Remains to Improve Data Analytics and Implement Key Initiatives](#). The report found that FAA has taken steps to mitigate runway incursions through technology deployment, enhanced pilot and controller training, and safety initiatives. However, challenges remain in improving data analysis and risk assessment to identify and address root causes more effectively. The report also highlights that while the FAA has made progress, its ability to measure the effectiveness of safety initiatives remains limited. Additionally, the FAA has yet to fully implement recommendations from past reports and initiatives, such as those from the 2015 Call to Action on Runway Safety forum and the 2003 Runway Incursion Airport Assessment Report. To enhance safety, the report recommends that the FAA adopt the 24 recommendations from an independent Safety Review Team, issued in November 2023, which focus on process integrity, staffing, facilities, and equipment improvements. The FAA is urged to refine its data analytics and risk assessment methodologies to better understand and mitigate risks. Further, it should implement and measure the effectiveness of past and ongoing runway safety initiatives to ensure meaningful progress in reducing incursions. Addressing these recommendations will help the FAA strengthen its safety measures and enhance overall runway safety.

**DOT IG Publishes Report on FAA's Oversight of COVID Relief Funds.** DOT IG has published a report titled [FAA Has Improved Its Oversight of COVID-19 Relief Funds Despite Implementation Inconsistencies](#). The report found that FAA received substantial funding through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and the American Rescue Plan Act (ARPA) to support airports during the COVID-19 pandemic. The report evaluated the FAA's oversight of these grant funds and found that while the FAA established processes to distribute funds promptly, there were shortcomings in monitoring grant recipients' compliance with federal requirements and in ensuring that funds were used effectively. To enhance oversight, the report recommended that the FAA strengthen its monitoring procedures, improve documentation practices, and provide additional guidance to grant recipients to ensure proper use of funds and adherence to federal regulations. Implementing these recommendations would help the FAA address identified weaknesses and improve the effectiveness of its grant oversight.



**FAA Delays Enforcement Action of Several Rules.** FAA has announced that it will not take enforcement of the following rules until March 20, 2025:

- [Drug and Alcohol Testing of Certified Repair Station Employees Located Outside of the United States](#)
- [Aircraft Registration and Recordation Procedural Updates](#)
- [Electronic Issuance of Aircraft Registration and Dealer Certificates](#)
- [Enforcement Policy Regarding Integration of Powered-Lyft](#)



**FHWA Delays Buy America Rule.** FHWA has delayed until March 20, 2025, the final rule titled "Buy America Requirements for Manufactured Products".

[MORE INFORMATION](#)



**NHTSA Delays Enforcement Action of Several Rules.** NHTSA has announced that it will not take enforcement of the following rules until March 20, 2025:

- [FMVSS: Bus Rollover Structural Integrity](#)
- [FMVSS: Child Restraint Systems](#)
- [Implementing the Whistleblower Provisions of the Vehicle Safety Act](#)

## OTHER

**NTSB Publishes Preliminary Report on Mid-Air Collision Near DCA Airport.** The National Transportation Safety Board (NTSB) released a [preliminary report](#) and [urgent recommendations](#) that would permanently prohibit helicopter operations near Washington's Ronald Reagan National Airport (DCA) when certain runways are in use for arrivals or departures. In its 10-page urgent recommendation report, the NTSB said that helicopters transiting the Route 4 helicopter corridor at the maximum authorized altitude of 200 feet could have only about 75 feet of vertical separation from an airplane on landing approach to Runway 33. The NTSB said the lack of separation was insufficient and said vertical separation could potentially be even less than 75 feet depending on the helicopter's lateral distance from the Potomac River shoreline or if an approaching airplane was below the designated visual glidepath to Runway 33.



*Channon Hanna, Partner at Carpi & Clay Government Relations, brings over 20 years of expertise in navigating federal transportation policy complexities to advance priorities for public and private sector clients across all modes of transportation.*



## Livermore Amador Valley Transit Authority Legislative Matrix

### Recommended Support

#### **AB 394 (Wilson, D) Crimes: public transportation providers.**

**Status:** 03/11/2025 - In committee: Set, first hearing. Hearing canceled at the request of author.

**Calendar:** 03/25/25 A-PUBLIC SAFETY 8:30 a.m. - State Capitol, Room 126 SCHULTZ, NICK, Chair



**Location:** 02/18/2025 - Assembly Public Safety

**Summary:** Current law defines a battery as any willful and unlawful use of force or violence upon the person of another. Current law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Current law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would expand this crime to apply to an employee or contractor of a public transportation provider. The bill would authorize the court, following a conviction, to impose a prohibition order barring reentry to public transit property, as specified. (Based on 02/03/2025 text)

#### **SB 239 (Arreguin, D) Open meetings: teleconferencing: subsidiary body. Status:**

02/14/2025 - Referred to Coms. on L. GOV. and JUD.



**Location:** 02/14/2025 - Senate Local Government

**Summary:** The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified. Current law, until January 1, 2026, authorizes specified neighborhood city councils to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if, among other requirements, the city council has adopted an authorizing resolution and 2/3 of the neighborhood city council votes to use alternate teleconference provisions, as specified. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require the subsidiary body to post the agenda at the primary physical meeting location. The bill would require the members of the subsidiary body to visibly appear on

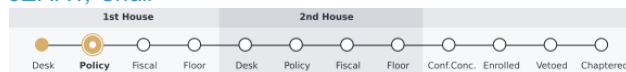


camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. (Based on 01/30/2025 text)

**SB 752 (Richardson, D) Sales and use taxes: exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses.**

**Status:** 03/12/2025 - Referred to Com. on REV. & TAX.

**Calendar:** 05/14/25 S-REVENUE AND TAXATION 9:30 a.m. - 1021 O Street, Room 1200 MCNERNEY, JERRY, Chair



**Location:** 03/12/2025 - Senate Revenue and Taxation

**Summary:** Existing state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes, including, until January 1, 2026, an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, specified zero-emission technology transit buses sold to specified public agencies that are eligible for specified incentives from the State Air Resources Board. This bill would extend the exemption for specified zero-emission technology transit buses until January 1, 2028. This bill contains other related provisions. (Based on 02/21/2025 text)

### Recommended Watch

**AB 35 (Alvarez, D) California Environmental Quality Act: clean hydrogen transportation projects. Status:**

02/18/2025 - Referred to Coms. on NAT. RES. and JUD.



**Location:** 02/18/2025 - Assembly Natural Resources

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would provide for limited CEQA review of an application for a discretionary permit or authorization for a clean hydrogen transportation project, as defined, by requiring the application to be reviewed through a clean hydrogen environmental assessment, unless otherwise requested by the applicant, as prescribed. The bill would, except as provided, require the lead agency to determine whether to approve the clean hydrogen environmental assessment and issue a discretionary permit or authorization for the project no later than 270 days after the application for the project is deemed complete. (Based on 12/02/2024 text)

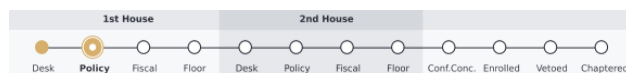
**AB 939 (Schultz, D) The Safe, Sustainable, Traffic-Reducing Transportation Bond Act of 2026. Status:**

03/10/2025 - Referred to Com. on TRANS.



**Location:** 03/10/2025 - Assembly Transportation

**Summary:** Would enact the Safe, Sustainable, Traffic-Reducing Transportation Bond Act of 2026 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$20,000,000,000 pursuant to the State General Obligation Bond Law to finance transit and passenger rail improvements, local streets and roads and active transportation projects, zero-emission vehicle investments, transportation freight infrastructure improvements, and grade separations and other critical safety improvements. The bill would provide for the submission of the bond act to the voters at the November 3, 2026, statewide general election. (Based on 02/19/2025 text)



**Location:** -

**Summary:**

**AB 1207 (Irwin, D) Climate change: market-based compliance mechanism: price ceiling. Last**

**Amended:** 03/17/2025

**Status:** 03/17/2025 - Referred to Com. on NAT. RES. From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

03/17/2025 Assembly Natural Resources

The California Global Warming Solutions Act of 2006, until January 1, 2031, authorizes the State Air Resources Board to adopt a regulation establishing a system of market-based declining aggregate emissions limits for sources or categories of sources that emit greenhouse gases (marketbased compliance mechanism) that meets certain requirements. Current law requires the state board, in adopting the regulation to, among other things, establish a price ceiling for emission allowances sold by the state board. Current law requires the state board, in establishing the price ceiling, to consider specified factors, including the full social cost associated with emitting a metric ton of greenhouse gases. This bill would require the state board to instead consider the full social cost associated with emitting a metric ton of greenhouse gases, as determined by the United States Environmental Protection Agency in November 2023. (Based on 03/17/2025 text)

**AB 1340 (Wicks, D) Metropolitan Transportation Commission: duties. Status:**

03/13/2025 - Referred to Com. on TRANS.



**Location:** 03/13/2025 - Assembly Transportation

**Summary:** The Metropolitan Transportation Commission Act establishes the Metropolitan Transportation Commission to provide comprehensive regional transportation planning for the San Francisco Bay area, as provided. Existing law requires the commission to establish a regional transit coordinating council to better coordinate routes, schedules, fares, and transfers among the San Francisco Bay area transit operators and to explore potential advantages of joint ventures in certain areas. The act authorizes the commission, in consultation with the regional transit coordinating council, to identify functions performed by individual public transit systems that could be consolidated to improve the efficiency of regional transit service, and recommend that those functions be consolidated and performed through inter-operator agreements or as services contracted to a single entity. This bill would require the commission to consult with the general manager from each transit operator, instead of the regional transit coordinating council, when identifying functions that could be consolidated and recommending their consolidation, as described above. To the extent that this bill would impose additional duties on transit operators, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 02/21/2025 text)

**SB 63 (Wiener, D) San Francisco Bay area: local revenue measure: transportation funding. Status:**

01/29/2025 - Referred to Com. on RLS.



**Location:** 01/09/2025 - Senate Rules

**Summary:** Would state the intent of the Legislature to enact legislation authorizing a revenue measure to invest in transportation in the San Francisco Bay area. (Based on 01/09/2025 text)

**SB 419 (Caballero, D) Hydrogen fuel.**

**Status:** 02/26/2025 - Referred to Com. on REV. & TAX.

**Calendar:** 05/14/25 S-REVENUE AND TAXATION 9:30 a.m. - 1021 O Street, Room 1200 MCNERNEY, JERRY, Chair



**Location:** 02/26/2025 - Senate Revenue and Taxation

**Summary:** Would, on and after January 1, 2026, provide an exemption from the taxes imposed by the Sales and Use Tax Law for the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, hydrogen fuel. (Based on 02/18/2025 text)

**SB 840 (Limón, D) Greenhouse gases: market-based compliance mechanism. Status:**

03/12/2025 - Referred to Com. on RLS.



**Location:** 02/21/2025 Senate Rules -

**Summary:** Existing law authorizes the State Air Resources Board to establish a system of market-based declining annual aggregate emissions limits for sources or categories of sources that emit greenhouse gases that is applicable from January 1, 2021, to December 31, 2030, inclusive, and that meets certain requirements (market-based compliance mechanism). This bill would state the intent of the Legislature to enact subsequent legislation to reform, and extend the operation of, the market-based compliance mechanism. (Based on 02/21/2025 text)