

THIS PRINT COVERS CALENDAR ITEM NO.: 11

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Government Affairs

BRIEF DESCRIPTION: Approving the SFMTA's 2022 Legislative Program



SUMMARY:

- The 2022 SFMTA Legislative Program is intended to guide SFMTA's advocacy efforts at the local, state and federal level over the course of the upcoming legislative sessions. The program is intended to be broad enough to cover the wide variety of issues that may be taken up locally and in Sacramento and Washington, D.C., and flexible enough to allow the SFMTA to respond to unanticipated developments. Approval of the program will provide our legislative delegation and our transportation partners with an approved statement of SFMTA's priorities for this year.
- In addition to the Legislative Program, staff will provide legislative updates as appropriate to the Board regarding bills of interest to the SFMTA.
- In order to take official positions on proposed legislation, SFMTA must seek a city-wide position through the City's State Legislation Committee, which is chaired by the Mayor's Office and consists of representatives from various City departments and the Board of Supervisors. After presenting a bill analysis and justification, the Committee votes to approve or deny the recommended position. If the position is approved, the City's Sacramento advocates will be activated to provide support.

ENCLOSURES:

1. SFMTAB Resolution
2. 2022 SFMTA Legislative Program

APPROVALS:

	DATE
DIRECTOR 	<u>January 10, 2022</u>
SECRETARY 	<u>January 10, 2022</u>

ASSIGNED SFMTAB CALENDAR DATE: January 18, 2022

PURPOSE

Approval of the SFMTA's 2022 Legislative Program

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

The SFMTA 2022 Legislative Program is informed by and aligns with the goals in the SFMTA's Strategic Plan and supports San Francisco's Transit First Policy Principles.

DESCRIPTION

Each year, the San Francisco Municipal Transportation Agency (SFMTA) prepares a legislative program to guide advocacy efforts in the City and County of San Francisco, with Bay Area regional government organizations, the state government in Sacramento, and the federal government in Washington, D.C.

The 2022 SFMTA Legislative Program is intended to guide SFMTA's advocacy efforts at the local, state and federal level over the course of the upcoming legislative sessions and be broad enough to cover the wide variety of issues that may be taken up locally and in Sacramento and Washington, D.C., and flexible enough to allow the SFMTA to respond to unanticipated developments. Approval of the program will provide our legislative delegation and our transportation partners with an approved statement of SFMTA's priorities for the year. The program is a strategic document that is not meant to be comprehensive of all legislative issues but rather to provide general direction on issues relevant to the SFMTA and transportation partners in the coming year.

The 2022 Legislative Program provides, among other things, support for measures that will enhance funding levels for the SFMTA's programs, opposition to governmental actions that might decrease funding for the SFMTA's programs, and authorization for SFMTA staff to carry out the objectives of the 2022 Legislative Program.

In addition to the Legislative Program, staff will provide legislative updates as appropriate to the Board regarding bills of interest to the SFMTA.

In order to take official positions on proposed legislation, SFMTA must seek a city-wide position through the City's State Legislation Committee, which is chaired by the Mayor's Office and consists of representatives from various City departments. After presenting a bill analysis and justification, the Committee votes to approve or deny the recommended position. If the position is approved, the City's Sacramento advocates will be activated to provide support.

STAKEHOLDER ENGAGEMENT

This program was presented to the Citizens' Advisory Council (CAC) on January 6, 2022. It is also informed by outreach with the San Francisco County Transportation Agency, the Metropolitan Transportation Commission, and other transit agencies. There will continue to be opportunities throughout the legislative cycle for additional input into the legislative agenda on

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issues as they arise.

ALTERNATIVES CONSIDERED

No alternative was considered as it is essential that a program be approved annually.

FUNDING IMPACT

Some of the proposed initiatives may result in additional funding for SFMTA's priority programs and projects.

ENVIRONMENTAL REVIEW

On December 17, 2021 the SFMTA, under authority delegated by the Planning Department, determined that the annual SFMTA Legislative Program is not a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The SFMTA Citizens' Advisory Council considered a motion to support the 2022 Legislative Program on January 6, 2022. The City Attorney's Office has reviewed this item.

RECOMMENDATION

Staff recommends approval of the SFMTA's 2022 Legislative Program.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) each year approves an annual legislative program and forwards that program to the Mayor's office for inclusion in the City's full legislative program; and,

WHEREAS, The purpose of a legislative program is to set forth legislative policies, principles and priorities to guide SFMTA staff and to provide input to the Mayor's office on transportation matters for the upcoming year; and,

WHEREAS, In response to the interests of the SFMTA and the Mayor's office, staff has prepared the accompanying 2022 Legislative Program (the "2022 Legislative Program") for the consideration and approval of the San Francisco Municipal Transportation Agency Board of Directors; and,

WHEREAS, The 2022 Legislative Program provides, among other things, support for measures that will enhance funding levels for the SFMTA's programs, opposition to governmental actions that might decrease funding for the SFMTA's programs, and authorization for SFMTA staff to carry out the objectives of the 2022 Legislative Program; and,

WHEREAS, On December 17, 2021, the SFMTA, under authority delegated by the Planning Department, determined that the annual SFMTA Legislative Program is not a "project" under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; now, therefore be, it,

RESOLVED, That the San Francisco Municipal Transportation Agency Board does hereby approve the SFMTA's 2022 Legislative Program and authorizes the Director of Transportation to carry out the objectives of the Program.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 18, 2022.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

SFMTA 2022 Legislative Program

Each year, the San Francisco Municipal Transportation Agency (SFMTA) prepares a legislative program to guide advocacy efforts in the City and County of San Francisco, with the Bay Area regional government organizations, the state government in Sacramento, and the federal government in Washington, D.C. It is a strategic document that is not meant to be comprehensive of all legislative issues but rather to provide general direction on issues relevant to the SFMTA and transportation partners in the coming year. This program is also intended to align with the SFMTA's current Strategic Plan and supports the goals included in the Plan.

Consistent with the SFMTA's commitment to advance racial equity, this program will also serve to support the Agency's Racial Equity Action Plan and bring a racial equity lens aimed at advocating for anti-racist policies at all levels of government.

Local Legislative Priorities

- 1. SFMTA Legislation and Policy:** The Government Affairs team will work proactively with the SFMTA's executive team to strategically plan and implement all legislative and policy initiatives supporting the Agency's operations and overall goals of the Strategic Plan. Additionally, Government Affairs staff will work proactively with all key City stakeholders to maintain positive working relationships and implement those same legislative and policy initiatives, also incorporating SFMTA's Public Participation Plan and engaging local elected officials in their role as District Supervisors and as San Francisco County Transportation Authority (SFCTA) Commissioners in those efforts.
- 2. Board of Supervisors (BOS) Legislation and Policy:** The SFMTA will continue efforts to coordinate local legislative priorities with all key City stakeholders. Government Affairs staff will work closely and collaboratively with the Mayor's office, the Board of Supervisors (BOS), SFCTA and various City agencies to engage, manage, inform and advise on any BOS hearing requests, audits, or legislation relating to all Divisions of the SFMTA.
- 3. San Francisco County Transportation Authority (SFCTA):** The SFMTA will continue to work collaboratively with the SFCTA to fund street repair and reconstruction, pedestrian safety, transit reliability and state of good repair projects.
- 4. Priority Projects Requiring Legislative Approvals:** SFMTA staff will work with city partners on advancing key priority projects that are now underway, and at various stages of progress, including regular briefings with BOS offices and stakeholders. This work will also include engagement with the Mayor's Office, members of the Board of Supervisors, the SFCTA and the BOS Budget and Legislative Analyst for any approvals needed pursuant to Section 9.118 9(b) of the Charter.

Contracts requiring Board of Supervisors' approvals may include items such as transit vehicle and transit service-related maintenance or procurement, real estate agreements, and other revenue measures, among others. In addition to these contracts, grant authorizations may require BOS approvals.

- **Shared Spaces/Slow Streets** Continuance in 2022: Amendments to the Public Works and Transportation Codes may be necessary to set up the current dining

parklet/structures program on a better long-term regulatory footing.

- **Potrero Yard Modernization Project:** Procure a development partner to replace a 105-year-old bus facility and deliver an expanded, seismically resilient bus storage, maintenance and training facility with housing -- including affordable housing above the yard -- and to advance the project through key milestones
- **Mid-Life Bus Overhaul for New Flyer Buses:** As part of the Maintenance programs to repower and refurbish the New Flyer buses so that the vehicles can sustain their current performance matrix, serviceability, maintainability, and reliability for SFMTA customers.

5. **Vision Zero:** Vision Zero is San Francisco's policy commitment to eliminate all traffic-related fatalities on our City's streets. It is a joint effort of San Francisco's Municipal Transportation Agency, Department of Public Health, Police Department, Department of Public Works, and Department of the Environment, Public Utilities Commission, Unified School District, Planning Department, District Attorney's Office, County Transportation Authority, and the Mayor's Office.

The City's approach to Vision Zero focuses on engineering safer streets, encouraging safer speeds, investing in safer vehicles and supporting the safe use of streets by everyone on the road, regardless of mode. Equity is a core principle of Vision Zero and the SFMTA will continue to work with city leaders to advance equity in all related policy initiatives. SFMTA's Local Government team is involved with these discussions and will work closely and collaboratively with the City family to engage, manage, inform and advise on any BOS or SFCTA hearing requests or legislation relating to all aspects of this joint effort.

6. **Revenue Proposals for June/November 2022 Ballot:** Discussions are continuing on prospects for transportation funding measures in 2022. SFMTA's Local Government team is involved with these efforts and will work closely and collaboratively with the City family to engage, manage, inform and advise on any BOS or SFCTA hearing requests or legislation relating to this effort.

- **General Obligation (GO) Bond:** Seeking \$400M GO Bond (June 2022): On December 7, 2021, the SFMTA Board unanimously approved a resolution urging the Board of Supervisors to place a \$400 million GO Bond on the June 2022 ballot. On December 14, 2021, an Ordinance and Resolution sponsored by Mayor Breed, BOS President Walton, and SFCTA Chair Mandelman was introduced in support of the bond. Following BOS approvals in mid-February, the items will be forwarded to the Department of Elections for placement on the June 2022 ballot. The measure will require 2/3 vote to pass.
- **Proposition K:** The sales tax itself does not expire, but the expenditure plan ends in 2034. The reauthorization would provide access to future funds for financing and presents an opportunity to consolidate and simplify Prop K programs. In December 2021, the SFCTA approved a reauthorization schedule that could result in placing a reauthorization measure on the ballot in November 2022.
- **Local Revenue Measure:** Seek a transportation tax measure to generate a steady

source of new revenue to make up for increased operational costs and decreased parking fees and fare box collections. The actual vehicle and timing for this special transportation tax measure is still to be determined.

7. **Emerging Mobility and Innovation:** SFMTA staff will monitor and engage in city efforts around emerging mobility services, models and technologies such as autonomous vehicles, e-scooters, autonomous delivery devices and private transit vehicles, coordinating efforts with city agencies, BOS, SFCTA, Mayor's Office, and community groups to ensure city interests and impacts are communicated.
8. **Taxi Cab Medallion Program Reform:** SFMTA staff is working on the next round of Taxi Medallion reform to support the purchased medallion program. Taxi Medallion reform will require SFMTA Board approval and staff anticipates bringing an item before the Board in early 2022. The Board of Supervisors does not have legislative authority over the taxi industry, however, they are a key stakeholder and staff continues to engage interested Supervisors.

State Legislative Priorities

The proposed 2022 State Legislative Program is categorized into key policy priority areas including: transportation funding, Vision Zero, emerging mobility and innovation, parking, sustainability, regional transit integration, land use and housing, finance and administration. The SFMTA will coordinate much of this work with other large city transportation departments through an ongoing collaboration with the California City Transportation Initiative (CACTI), a working group representing the eight largest cities in California, as well as the California Transit Association.

1. **Transportation Funding:** Support efforts to secure funding for SFMTA's transportation projects and program priorities.
 - **State Budget and Transportation:** Advocate for SFMTA priority projects in context of state budget negotiations and policy provisions that maximize San Francisco's share of any General Fund surplus revenues invested in transportation. Strengthen the Bay Area's position by engaging in a unified advocacy strategy in partnership with MTC, other transit operators, SFCTA and other county transportation agencies, and other stakeholders.
 - **COVID 19 Recovery Funding and Statutory Relief:** Advocate for additional funding and statutory changes, as appropriate, to provide financial and regulatory relief to address the adverse impact of COVID-19 on the Agency.
 - **Support State Transportation Grant Applications:** Support efforts to advance grant applications for State competitive programs including the Transit and Intercity Rail Capital Program and the Active Transportation Program; secure legislative delegation support for applications.
 - **Transportation Development Act:** Work with the California Transit Association on Transportation Development Act (TDA) reform efforts pursuant to a request by Assembly and Senate Transportation Committee chairs to conduct a comprehensive review of the TDA program; seek to ensure maximum funding for San Francisco is

maintained. TDA is the ¼ cent sales tax on all goods and is returned to each county to support transit investments (2% is directed to bike/pedestrian projects).

- **Cap and Trade Funding:** Maintain the existing transportation and housing programs funded by cap and trade and seek opportunities to direct additional cap and trade funds towards these purposes. Key programs for San Francisco include the Transit and Intercity Rail Capital Program, which has provided \$116 million in funding thus far for SFMTA’s light rail vehicle replacement program, \$40 million to improve transit reliability on key Muni corridors, and \$1.66 million to plan additional corridor improvement and a comprehensive upgrade of the train control system. Monitor legislation to modify the programs and support administrative or legislative efforts to streamline applications and simplify program administration.
- **High Speed Rail:** Consistent with San Francisco’s on-going support for high-speed rail to the Transbay Terminal, support efforts aimed at advancing the high-speed rail program. Monitor negotiations regarding the appropriation of Proposition 1A funds to continue construction of the High-Speed Rail segment from Bakersfield to Merced.
- **Regionwide Transportation Funding Measure:** Support and engage in any future efforts that may arise from the MTC’s Blue Ribbon Transit Recovery Task Force for a regionwide transportation funding measure (likely targeted to 2024) to support transit recovery, promote the use of regional mass transit, and the continued development of an integrated, reliable, regional public transportation system.

2. Vision Zero

San Francisco adopted Vision Zero as a citywide policy in 2014, committing to eliminate all traffic deaths on our streets. Consistent with San Francisco’s Vision Zero Action Strategy Transformative Policy agenda, we were successful in the first year of the current legislative session in securing local flexibility on speed limit setting (AB 43-Friedman). In addition, legislation was enacted (AB 917-Bloom) to provide additional authority to use transit-only lane enforcement cameras to enforce parking in transit stops anywhere on our transit system, building on San Francisco’s existing authority to use transit-only lane enforcement

In 2022, it is probable that there will be a reintroduction of legislation related to automated enforcement and use of speed safety cameras. We will continue to actively support these efforts consistent with the recently updated Vision Zero Action Strategy.

- **Support Efforts that Encourage Safety:** Support efforts to improve the overall safety for all road users, including bicycle and pedestrian related measures, measures that discourage dangerous driving, cycling or walking behavior, and proposals that seek to increase investment in infrastructure improvements and education that advances the goal of Vision Zero. Anticipate the reintroduction of measures vetoed last session including proposals to decriminalize of jaywalking and authorization of so-called “Idaho” stop, permitting bicyclists to treat stop signs as yield signs.

3. Public Transit

- **Regional Transit Integration:** SFMTA will engage in efforts related to regional transit integration legislation that may be proposed to advance the recommendations contained in MTC’s Blue Ribbon Transportation Recovery Task Force Transformation Action Plan, released in Fall 2021.

- **Project Delivery Streamlining:** Support an extension of SB 288 (Wiener-2020) exempting transit priority lanes and active transportation projects from the California Environmental Quality Act (CEQA).

4. Emerging Mobility and Innovation

Managing the adoption and integration of new and emerging mobility innovations is a fundamental issue for San Francisco and other cities. The SFMTA has adopted *Guiding Principles for Emerging Mobility Service and Technologies*, which establishes a framework to evaluate existing and future new transportation technologies to ensure they support the City's transportation goals.

The SFMTA will monitor and engage, as appropriate, in state legislative measures in the areas listed below based on our Guiding Principles framework. Legislative topics in this arena may include the scope of local authority, data disclosure, transit complementary service, congestion and environmental impacts and pricing, among others. We will continue to engage with State agencies regulating emerging mobility including the California Department of Motor Vehicles (DMV), California Public Utilities Commission (CPUC), and the California State Transportation Agency (CalSTA), and others to ensure emerging mobility is effectively managed and regulations are enforced.

- **Shared Mobility Regulatory Authority:** Ensure local authority is preserved as it relates to the City's local pilot and permit programs for shared mobility services, including docked and dockless bikeshare and e-scooters.
- **Shared Mobility Data:** Maintain cities' ability to collect mobility device data to enforce local regulatory programs.
- **Autonomous Vehicles:** Advance efforts to ensure cities are included in the decision-making process for testing and deployment of autonomous vehicles, including working with relevant State agencies such as DMV and CPUC.
- **Congestion Pricing Framework:** Consistent with the City's Vision Zero Action Strategy, support advancing congestion management efforts using pricing and incentives, to ensure fewer vehicle miles traveled and low-income travelers receive a net benefit.
- **Transportation Network Companies (TNCs) and Taxis:** Evaluate any legislative proposals regarding taxis and TNCs.
- **Commuter Shuttles & Private Transit Vehicles:** Monitor legislation related to commuter shuttles and private transit vehicles within the context of SFMTA's Commuter Shuttle and Private Transit Vehicle Permit Programs.

5. Parking Policy

The SFMTA will continue to coordinate parking advocacy efforts with public parking interest groups including the California Public Parking Association, other cities and stakeholders.

- **Parking Fines and Fees:** Monitor legislation related to reducing parking and towing fines and fees to ensure impacts balance equity issues and the Agency's financial considerations.

- **Curb Management:** Support legislative efforts that provide the City with more flexibility within the California Vehicle Code to implement recommendations from our Curb Management Strategy.

6. Land Use & Housing

The Agency will support State efforts to encourage new housing production and advocate that new development should be coupled with transit improvements and transportation infrastructure investments to meet new induced demand. This will ensure occupants of new developments are able to move around the City by transit or active transportation modes, reducing dependence on a personal automobile.

7. Sustainability

SFMTA is dedicated to meeting the City's climate action targets of 80% trips taken in sustainable modes by 2030 and net zero greenhouse gas emissions by 2050. SFMTA is also working to meet the California Air Resources Board (CARB) requirements, including delivering extensive facility upgrades, for bus fleet electrification. These efforts align with Governor Newsom's executive order (N-19-19) directing actions to reduce greenhouse gas (GHG) emissions and mitigate the impacts of climate change.

- **Greenhouse Gas Emissions Reductions:** Monitor and engage in legislation that supports greenhouse gas emissions reductions in the transportation sector.
- **Bus Electrification:** Engage in legislation and policies that support Muni's commitment to fleet electrification.
- **Electrification Infrastructure:** Monitor legislation related to electric vehicle infrastructure as it impacts our parking and curb space. Identify and pursue funding opportunities that advance the Agency's sustainability objectives including fleet and facility conversion.

8. Finance & Administration

SFMTA will engage in legislation that could affect the Agency's administrative practices or have a financial impact on the Agency's operations.

- **Credit Card Authentication to Reduce Fraud:** Pending State Legislative Counsel opinion, support statewide efforts as needed to amend the California Vehicle Code to authorize zip code authentication at unattended ticket vending machines operated by public transit agencies. This proposal is aimed at protecting against the fraudulent use of credit cards at transit properties and the associated revenue loss.

9. Support Shared Policy Priorities of City Departments

Support as appropriate the policy priorities of other City departments including Planning, Department of the Environment, Public Health and the Office of Economic and Workforce Development that advance mutual policy objectives including transportation and livable street design, pedestrian safety, transit-oriented development, California Environmental Quality Act reform policy and infrastructure investment.

10. Regulatory Rulemaking: The SFMTA participates in the rulemaking process at the state level, which is governed by California's Administrative Procedure Act (APA). The APA

rulemaking process is designed to provide the public with a meaningful opportunity to participate in the adoption of regulations or rules that have the force of law by California state agencies. Regulations subject to the APA are generally adopted through the “Regular” or “Emergency” rulemaking processes. Depending on the particular agency, the rulemaking process usually encompasses the contents of the rulemaking record, timeframes, opportunities for public participation, review by the Office of Administrative Law (OAL) and effective dates for the regulations. The SFMTA closely monitors and participates in the rulemaking processes of the California Air Resources Board as well as the State Division of Occupational Safety and Health, better known as Cal/OSHA.

Federal Legislative Priorities

- 1. Federal Transportation Funding and Appropriations:** Following the historic enactment of the Infrastructure Investment and Jobs Act, engage in efforts with the Administration during discretionary grant development to advocate for program policies and funding eligibilities that enhance San Francisco’s competitiveness. Support efforts to pursue competitive grant opportunities consistent with Agency priority projects.
- 2. Autonomous Vehicles:** Continue to track and engage in development of federal legislation around autonomous vehicles. Coordinate efforts and participate in strategy development with the National League of Cities, National Association of City Transportation Officials (NACTO), and other advocacy organizations to ensure City priorities are incorporated into any legislation.
- 3. Emerging Mobility and Innovation:** Monitor and engage in federal efforts around emerging mobility and innovation.
- 4. Sustainability:** Support federal transportation policy and legislation that seeks to reduce greenhouse gas emissions through advancing the transition to zero-emission buses, supporting mode shift to low carbon modes, and expanding eligibility for tolling and pricing pilot programs.
- 5. Regulatory Rulemaking:** At the federal level, rulemaking is the policymaking process for executive and independent agencies of the Federal government to develop and issue new Rules (regulations), as well as amending or repealing an existing Rule. The SFMTA most often engages in Notices of Proposed Rulemaking (NPRM) issued by the U.S. Department of Transportation and/or by the Federal Transit Administration. The NPRM process comprises: publication in the Federal Register of the Proposed Rule; an established timeframe for gathering public comment; review and analysis of comments received; issuance of a new or modified proposal, or in some cases, withdrawal of the proposal; and, publication of the Final Rule.