



Date: April 4, 2007
Committee Meeting Date: April 19, 2007
Board Meeting Date: May 3, 2007
ACTION X DISCUSSION _____ INFO _____

BOARD MEMORANDUM

TO: Administration and Finance Committee
Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: Michael T. Burns
General Manager

FROM: Kurt Evans
Government Affairs Manager

SUBJECT: Legislative Positions

RECOMMENDATION:

Adopt a support position for AB 23 (Ma), AB 57 (Soto) and ACR 25 (Lieber). Adopt an oppose position for SB 540 (Harman).

BACKGROUND/DISCUSSION:

AB 23 (Ma) requires Caltrans to place and maintain countdown signals and audible indicators at marked pedestrian crosswalks on state highways that are located within 2,000 feet of a school or senior center. Many state highways run directly through cities, towns and rural areas where schools and senior centers are located adjacent to crosswalks. The intent of AB 23 is to include enhanced signals at busy state highway pedestrian crossings, such as along El Camino Real, that are in close proximity to schools and senior centers in order to protect school children, seniors and others who have to walk across them. Given the disproportionate number of small children and seniors who are involved in pedestrian accidents each year, AB 23 could assist in preventing unwarranted injuries and deaths. Therefore, we recommend that the Board of Directors support this bill.

AB 57 (Soto) eliminates the sunset date for the Safe Routes to School Program, thereby extending the program indefinitely. Existing law requires Caltrans, in consultation with the California Highway Patrol (CHP), to establish and administer a Safe Routes to School Program, and to use specified federal transportation safety funds received by the state for constructing bicycle and pedestrian safety improvements and traffic calming projects in the vicinity of school facilities. Caltrans is required to make grants available to local government

agencies under the Safe Routes to School Program based on the results of a statewide competition that involves the submission of proposals for funding from project sponsors and the rating of those proposals according to certain factors. These provisions became effective on January 1, 2000, and are scheduled to expire on January 1, 2008.

The intent of the Safe Routes to School Program is to make streets and roadways near school facilities safer for children who are walking and bicycling to school. Statistics show that pedestrian and bicycle accidents are a leading cause of fatal injuries among 5- to 12-year-olds; however, many school areas lack crosswalks or even sidewalks. The Safe Routes to School Program provides funds for crosswalks, pedestrian and bicycle paths, bicycle lanes, sidewalks, and traffic calming measures around school facilities.

Since its inception, the Safe Routes to School Program has provided funding for numerous projects that have created safer conditions around schools throughout the state, thereby increasing the number of students biking and walking to their schools, and reducing traffic congestion around school facilities resulting from parents picking up and dropping off their children. The Safe Routes to School Program should be continued and, therefore, we recommend that the Board of Directors support AB 57.

ACR 25 (Lieber) designates State Route 85 in Santa Clara County, except for the segment between Prospect Road and Quito Road, as the “Norman Y. Mineta Highway.” Mr. Mineta’s list of accomplishments during his many years of public service and his contributions to the field of transportation are extensive. His long history in public life includes service in the U.S. Army; his election to local government offices in the city of San Jose; his 20 years in the U.S. House of Representatives; and his holding of two Cabinet positions, first as Commerce Secretary under the Clinton Administration and, more recently, as Transportation Secretary under the Bush Administration.

As a member of Congress, where he served as chairman of the House Public Works and Transportation Committee from 1992 to 1994, Mr. Mineta was a key author of the landmark Intermodal Surface Transportation Efficiency Act (ISTEA), which shifted decisions concerning highway and mass transit planning to state and local governments, and led to major upsurges in mass transit ridership and more environmentally friendly transportation projects.

One of Mr. Mineta’s main achievements as Transportation Secretary was the enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was signed into law in August 2005. This bill authorizes more than \$286 billion for federal surface transportation programs over a six-year period.

After the September 11, 2001, terrorist attacks, Mr. Mineta oversaw the creation of the Transportation Security Administration (TSA) to improve transportation security. TSA put thousands of air marshals on commercial air flights, installed high-tech equipment to check baggage at airports across the country, and hired tens of thousands of workers to screen air travelers and their baggage. In 2003, TSA became part of the U.S. Department of Homeland Security.

It seems appropriate to recognize Mr. Mineta for his long career in public service and his many transportation accomplishments by naming a segment of State Route 85 in his honor. Therefore, we recommend that the Board of Directors support ACR 25.

SB 540 (Harman) eliminates the sales tax on excise fuel taxes, resulting in a loss of revenue for various state transportation programs. The sales tax on gasoline excise taxes is a revenue source for Proposition 42, which provides funding for Traffic Congestion Relief Program (TCRP) projects, the State Transportation Improvement Program (STIP), local streets and roads, and public transit operating and capital needs through the Public Transportation Account (PTA). The PTA also receives revenue from the sales tax on gasoline and diesel fuel excise taxes. All of these programs benefit Santa Clara County. However, they would experience a reduction in funding if SB 540 were to pass.

In addition, for those counties with voter-approved, local transportation sales tax programs, including Santa Clara County, SB 540 would result in a dip in the amount of revenue that would be available for the projects in their expenditure plans.

The state already is suffering from an historic under-investment in transportation infrastructure, a situation that has been exacerbated in recent years by the borrowing of transportation dollars to fix General Fund deficits. Most recent estimates by the California Transportation Commission (CTC) peg the amount of unfunded transportation needs in the state at close to \$200 billion over the next 10 years. By decreasing funding for Proposition 42 and the PTA, as well as by decreasing the amount of revenue that normally would accrue to local transportation ballot measure programs, SB 540 would negatively impact numerous highway, public transit, local roadway, and other transportation projects that are critical to addressing the mobility needs of the state and regional/local areas. Therefore, we recommend that the Board of Directors oppose this bill.

ALTERNATIVES:

The Board of Directors could decide to adopt positions that are different from those being recommended, or could opt to take no position on any of these bills at this time.

FISCAL IMPACT:

There is no immediate fiscal impact associated with this recommendation. As noted previously, if SB 540 were to be enacted into law, VTA would experience a loss of revenue for our TCRP and STIP projects, as well as for public transit operating and capital purposes through the PTA. Cities and the county would see a reduction in funding for local streets and roads. Also, the 2000 Measure A Program would be negatively impacted.

Prepared by: Kurt Evans, Government Affairs Manager