CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL No. 744

Introduced by Assembly Member Torrico

February 26, 2009

An act to add Section 30914.6 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 744, as introduced, Torrico. Transportation: Bay Area high-occupancy vehicle network.

Existing law specifies the respective powers and duties of the Bay Area Toll Authority and the Department of Transportation relative to the operation of the state-owned Bay Area toll bridges and the allocation of toll bridge revenues. Existing law provides for the department to designate certain lanes for the exclusive use of buses and high-occupancy vehicles (HOVs).

This bill would authorize the authority to acquire, construct, administer, and operate a value pricing high-occupancy vehicle network program on state highways within the geographic jurisdiction of the Metropolitan Transportation Commission, as specified. The bill would authorize capital expenditures for this program to be funded from program revenues, revenue bonds, and revenue derived from tolls on state-owned toll bridges within the geographic jurisdiction of the commission. The bill would authorize the use of the high-occupancy vehicle lanes in the program by single-occupant vehicles for a fee, as specified.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) It is the intent of the Legislature to develop and implement
4 a Bay Area Express High Occupancy Toll (HOT) Lane Network
5 (network) with the following objectives:
6 (1) To more effectively manage the region's freeways in order
7 to provide higher vehicle and passenger throughput and to reduce
8 delays for those traveling within each travel corridor.
9 (2) To provide an efficient, effective, consistent, and seamless
10 system for network customers.
11 (3) To provide benefits to travelers within each corridor
12 commensurate with the revenues collected in that corridor,
13 including expanded travel options and funding to support
14 nonhighway options that enhance effectiveness and throughput.
15 (4) To implement the network using a rapid delivery approach
16 that takes advantage of the existing highway right-of-way to deliver
17 the network in an expedited timeframe.
18 (5) To use toll revenue collected from the HOT network for the
19 purposes of operating the network, maintaining HOT system
20 equipment and software, providing transit services and
21 improvements in the corridors, financing and constructing the HOT
22 network, and providing other corridor improvements.
23 (b) It is the intent of the Legislature that the network be
24 developed in a collaborative manner that includes the congestion
25 management agencies, the Department of Transportation, the
26 Department of the California Highway Patrol, and the Bay Area
27 Toll Authority. This collaborative process should establish policies
28 for implementation of the HOT network, including, but not limited
29 to, phasing of HOV conversion and HOT construction, phasing of
30 corridor investment plan elements, and occupancy and pricing
31 policies for HOT network operations.
32 (c) It is the intent of the Legislature that the network utilize a
33 corridor-based structure that recognizes commute sheds and
34 geographic communities of interest as the most effective and
35 user-responsive models for the HOT network facilities
36 implementation.
37 (d) It is the intent of the Legislature that the network reinvest
38 revenues generated in the corridor to provide benefits to all

travelers in the corridor, including additional capital improvements on the freeway and parallel arterials, transit capital operations that increase throughput capacity in the corridor, and enhanced operations and management of the corridor.

(e) It is the intent of the Legislature that corridor investment plans, developed by stakeholder agencies within the corridor, guide the use of toll revenues to capital and operating programs serving the corridor commensurate with the revenue generated by each corridor.

(f) It is the intent of the Legislature that, the network, provide customers a simple, consistent, and efficient system that is easy to use and includes the following elements:

(1) Consistent geometric design.

(2) Consistent signage.

(3) Safe and simple operations.

(4) Common technology.

(5) Common marketing, logo, and terminology.

(g) It is the intent of the Legislature that in establishing the network a collaborative process determine the best financing mechanism, which could include using the state-owned toll bridge enterprise as a financing pledge to construct the network.

SEC. 2. Section 30914.6 is added to the Streets and Highways Code, to read:

30914.6. (a) Notwithstanding Sections 149 and 30800, and Section 21655.5 of the Vehicle Code, the authority may acquire, construct, administer, and operate a value pricing high-occupancy vehicle network program on state highways within the geographic jurisdiction of the commission that the commission has determined will reduce congestion on or make improvements to travel in the toll bridge and transportation network. Capital expenditures for the program may be funded from the following:

(1) Program revenues.

(2) Revenue bonds issued pursuant to this section.

(3) To the extent the authority elects to do so, from revenue derived from tolls on bridges named in Section 30910 and revenue bonds issued pursuant to Section 30961.

(b) The program, under the circumstances described in subdivision (c), may direct and authorize the entry and use of the high-occupancy vehicle lanes in the corridors in the region identified in subdivision (a) by single-occupant vehicles for a fee.

1 The fee structure shall be established from time to time by the
2 authority.
3 (c) Single-occupant vehicles that are certified or authorized by
4 the authority for entry into, and use of, the high-occupancy vehicle
5 lanes identified in subdivision (a) are exempt from Section 21655.5
6 of the Vehicle Code, and the driver shall not be in violation of the
7 Vehicle Code because of that entry and use.

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