

ASSEMBLY THIRD READING

AB 2730 (Cervantes)

As Amended May 4, 2020

Majority vote

SUMMARY:

This bill requires local transportation authorities and counties to enter into agreements around the shared use of paratransit and other transportation services during an emergency.

Major Provisions

- 1) Requires a local transportation authority, such as a transportation commission or regional transit district, to enter into an agreement with adjacent entities to prepare for emergencies.
- 2) Requires a county, or city and county, to enter into an agreement with adjacent counties (defined as a county that shares the same metropolitan statistical area) to lend the county's emergency management and transportation services for the relocation of the access and functional needs population in the adjacent county.

COMMENTS:**BACKGROUND:**

Protecting our most vulnerable residents from natural disasters: In December of 2019, the California State Auditor released an audit entitled "California Is Not Adequately Prepared to Protect Its Most Vulnerable Residents From Natural Disasters" (Report No. 2019-134). The report highlighted deficiencies in state and local emergency preparations for addressing the needs of people with access and functional needs. The report states, "Cal OES is uniquely positioned to observe, collect, and disseminate information about lessons learned during natural disasters across the State. As the agency tasked with coordinating state resources and mutual aid in response to those jurisdictions requesting assistance during an emergency, Cal OES has the opportunity to observe those jurisdictions' successes and struggles during natural disasters. It can identify problems caused by gaps in the jurisdictions' emergency preparedness and determine how frequently similar issues arise across jurisdictions."

The audit also underscored the need for counties to fully assess and prearrange to obtain the resources it would need in a disaster, such as entering into an agreement with an adjacent county to secure the transportation and other resources required to carry out the proper evacuation of our access and functional needs population. The author's staff notes, "given the access and functional needs population often lacks the ability to provide for their own transportation and may also have difficulty accessing conventional public transportation, evacuating these transportation-disadvantaged populations during emergencies has become an important challenge to address."

Paratransit providers and emergency management: Paratransit's have the capacity to work with emergency management to ensure that people being returned to their residencies have the necessary resources and support required to safely return home following emergencies and resume living independently. Paratransit providers can assist emergency management in identifying and locating people with access and functional needs that may require evacuation assistance. While emergency managers may know the locations of resident care centers, they

may have limited knowledge about the travel patterns and personal residencies of people living independently in the community who may need evacuation assistance.

According to the Author:

According to the author, "during natural disasters or public health emergencies, our most vulnerable populations are often unable to evacuate or seek shelter. This includes, but is not limited to, the elderly, foster youth, and people with physical or developmental disabilities. This bill will facilitate local partnerships to allow counties and cities to share logistical resources (including paratransit vehicles, drivers, and medical equipment) to evacuate these vulnerable populations when natural disasters or public health emergencies strike our state. We must ensure that when these emergencies occur in California, no one gets left behind."

The author adds, "during a government-declared state of emergency, collaborations among counties, a city and county, and its paratransit services are vital to secure the health and livelihood of individuals and populations. In particular, this bill seeks to ensure that counties, a city, and county, benefit from sharing resources (e.g., paratransit vehicles, drivers, equipment) and providing logistical support (e.g., continuity of communications) to meet evacuation needs during declared emergencies, disasters, or public health emergencies and facilitate potential collaborative efforts.

Arguments in Support:

The Disability Rights California states, "as the most recent California wildfires have demonstrated, there is critical need for effective evacuation plans that must include all members of the communities, including persons with disabilities and the elderly. It is critical to leverage the availability of transportation that can effectively and efficiently provide services to the functional needs population."

Arguments in Opposition:

None on file

FISCAL COMMENTS:

According to the Assembly Appropriations Committee:

- 1) Potentially reimbursable mandate costs in the millions of dollars statewide for affected counties to negotiate agreements with adjacent counties. Based on the criteria set forth in this bill, 14 counties would need to enter into agreements with adjacent counties. If each county needed to dedicate two full-time professional staff to develop these agreements, total costs statewide would be in excess of \$4 million. Actual state costs would depend upon a determination by the Commission on State Mandates as to whether the costs of the bill's requirements are reimbursable by the state.
- 2) Unknown, potentially reimbursable mandate costs for a local transportation authority to reach an agreement with adjacent authorities. Given the multitude of local transit authorities, it is unknown how many would need to enter into agreements and with whom. Possible costs include staffing costs associated with finalizing the agreements and the costs of amending paratransit contracts. Because paratransit services are typically contracted out, this bill could require local transit authorities to amend those contracts, which could lead to additional costs. Actual state costs would depend upon a determination by the Commission on State Mandates as to whether the costs of the bill's requirements are reimbursable by the state.

VOTES:

ASM GOVERNMENTAL ORGANIZATION: 20-0-1

YES: Gray, Bigelow, Aguiar-Curry, Berman, Bonta, Brough, Cooley, Daly, Gallagher, Eduardo Garcia, Gipson, Jones-Sawyer, Lackey, Low, Mathis, Melendez, Quirk-Silva, Robert Rivas, Blanca Rubio, Salas

ABS, ABST OR NV: Cooper

ASM APPROPRIATIONS: 18-0-0

YES: Gonzalez, Bigelow, Bauer-Kahan, Bloom, Bonta, Calderon, Carrillo, Chau, Megan Dahle, Diep, Eggman, Fong, Gabriel, Eduardo Garcia, Petrie-Norris, McCarty, Robert Rivas, Voepel

UPDATED:

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