
THIRD READING

Bill No: AB 512
Author: Holden (D)
Amended: 8/1/22 in Senate
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 13-0, 6/28/22
AYES: Newman, Allen, Archuleta, Becker, Cortese, Dodd, Hertzberg, Limón,
McGuire, Min, Rubio, Skinner, Wieckowski
NO VOTE RECORDED: Bates, Dahle, Melendez, Wilk

SENATE APPROPRIATIONS COMMITTEE: 5-0, 8/11/22
AYES: Portantino, Bradford, Laird, McGuire, Wieckowski
NO VOTE RECORDED: Bates, Jones

ASSEMBLY FLOOR: 68-0, 6/1/21 - See last page for vote

SUBJECT: State highways: relinquishment: infrastructural barriers

SOURCE: Author

DIGEST: This bill authorizes the California Transportation Commission to relinquish a portion of a state highway that contains an infrastructural barrier, as defined, to a city or county under specified conditions.

ANALYSIS: Existing law establishes a process whereby the California Transportation Commission (CTC) may relinquish to any county or city any portion of any state highway within that county or city. Specified public notice is required and the highway must be in a state of good repair. (SHC §73)

This bill authorizes the CTC to relinquish a portion of a state highway that contains an infrastructural barrier, as defined, to a city or county if the Department of Transportation (Caltrans) and the applicable city or county enter into an agreement subject to the following conditions:

- The portion of the state highway is located within the territorial limits of the city or county entering into the agreement.
- The CTC determines the relinquishment is in the best interest of the state.
- The CTC holds a public hearing on the proposed relinquishment.
- The purposes of the relinquishment are for restorative economic and social justice.
- The infrastructural barrier shall be removed or retrofit in a manner that enhances community connectivity.
- Any land made available to the removal or retrofit of the infrastructural barrier shall be redeveloped with a focus on implementing improvements that will benefit the populations impacted by or previously displaced by the infrastructural barrier.
- A part of the relinquished portion of the highway shall be used for transportation purposes to ensure the continuity of traffic flow.
- The relinquishment is consistent with federal law and regulations.
- The city or county determines that the construction of the infrastructural barrier had a significant impact on a disadvantaged community.

Comments

- 1) *Purpose.* The author is concerned about the detrimental impacts of the highway system and that the state should provide a relinquishment solution to repair the damaged communities.
- 2) *Freeway Impacts.* There's been increasing recognition that freeways can be harmful to the adjacent neighborhoods and that the construction of freeways has broken apart communities. This is one of several reasons that it is rare to build new highways. Moreover, there are efforts underway to undo some of the damage. In 2021 the federal Infrastructure Investment and Jobs Act established a \$1 billion grant program known as the Reconnecting Communities Pilot Grant Program to restore community connectivity through the removal, retrofit, mitigation or replacement of eligible transportation infrastructure that creates barriers in communities. A similar program has been proposed by the Newsom Administration, known as the Highways to Boulevards program.

- 3) *Staying Within the Lines*. Property that was acquired using federal funds must continue to be used for that purpose even if relinquished to a city or county. This bill contemplates using relinquished property for affordable housing, green space and transit-oriented development. Some of these purposes may conflict with the restrictions on the use of the federal funds. If so, the federal government will seek reimbursement which would be a surprise bill for the city or county. Similarly, the California Constitution limits the use of gas taxes, and some of the purposes authorized with this bill may conflict with those limitations. This bill provides that any relinquishment shall not be subject to federal reimbursement and may not conflict with the California Constitution.
- 4) *Opposition*. No opposition for the current version of this bill. Opposition letters refer to prior version of the bill.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Unknown, potentially significant future costs related to the relinquishment of highway segments, to the extent the agreements between Caltrans and local agencies include one-time payments or new costs related to the removal or retrofit of the infrastructural barrier. These costs may be partially or fully offset in future years due to avoided maintenance costs on a relinquished segment. Actual costs or savings would depend upon the details of each agreement and the characteristics of a particular infrastructural barrier. (State Highway Account)
- CTC indicates that costs and resource needs are unknown and would depend upon how many new relinquishment proposals are considered each year as a result of this bill. Costs could be minor and absorbable, to the extent that the number of relinquishments do not significantly increase, but this bill may impact staff workload and impose new costs on the CTC if it results in additional proposals at each CTC meeting. (State Highway Account)

SUPPORT: (Verified 8/11/22)

California Apartment Association

OPPOSITION: (Verified 8/11/22)

None received

ASSEMBLY FLOOR: 68-0, 6/1/21

AYES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Bryan, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Cooley, Cooper, Cunningham, Daly, Davies, Flora, Fong, Frazier, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Stone, Ting, Villapudua, Waldron, Ward, Akilah Weber, Wicks, Wood, Rendon

NO VOTE RECORDED: Bigelow, Choi, Megan Dahle, Gray, Kiley, Lackey, Nguyen, Patterson, Smith, Valladares, Voepel

Prepared by: Randy Chinn / TRANS. / (916) 651-4121
8/13/22 9:35:02

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