Date of Hearing: April 17, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION
Laura Friedman, Chair
AB 971 (Lee) – As Introduced February 14, 2023

SUBJECT: Vehicles: local ordinances

SUMMARY: Clarifies local authorities existing authority to permit other vehicles in transit only traffic lanes.

EXISTING LAW:

1) Prohibits a person from operating a motor vehicle on a portion of the highway designated for the exclusive use of public transit buses, except in compliance with the directions of a peace officer or official traffic control device, with exceptions. (VEH 21655.1)
2) Defines "Transit-only traffic lane" as any designated transit-only lane on which use is restricted to mass transit vehicles or other designated vehicles, including taxis and vanpools, during posted times. (VEH 40240)
3) Authorizes Caltrans and local authorities to designate portions of highway within their jurisdiction for exclusive use by high occupancy vehicles (HOV). (Vehicle Code (VEH) 21655.5)
4) Requires Caltrans and local authorities to place and maintain or direct the placement or maintenance of signs and other official traffic control devices to designate the exclusive or preferential lanes to inform motorists of the applicable vehicle occupancy levels for highways within their jurisdiction. (needs citation)
5) Excluding metered ramps and bypass lanes regulated with the activation of traffic signals to advise motorists of the hours of HOV usage. (VEH 21655.5)
6) Requires public transit agencies in agreement with Caltrans or local authorities with jurisdiction over the highway to place and maintain or direct the placement or maintenance of signs and official traffic control devices, as necessary, indicating that a portion of a highway is designated for the exclusive use of public transit buses and to advise motorists of the hours of operation of the lane as an exclusive public transit bus lane. (VEH 21655.1)

FISCAL EFFECT: Unknown

COMMENTS:

California's transportation sector accounts for about 50% of the state's greenhouse gas emissions, nearly 80% of nitrogen oxide pollution, and 90% of diesel particulate matter pollution. Transitioning the transportation sector to low-carbon fuels and zero and near-zero emission technologies is critical to achieving climate change goals and clean air standards. However, the State must also consider strategies for reducing sole-occupancy use of cars.

The utilization of mass transit is a major component of the state's strategy to reach its goal of carbon neutrality by 2045. According to the California Air Resource Board's (CARB) 2022 Scoping Plan, including the transition to cleaner vehicles and low-carbon fuels, the path to carbon neutrality by 2045 also depends on reducing the amount people drive or vehicle miles traveled (VMT). CARB identified the need to double the capacity and service frequencies of the existing local public transit networks by 2030, including having transit stops much closer to where people need to go and to provide reliable, shorter frequencies.

Bus Rapid Transit (BRT) is a high-capacity, lower-cost public transit service that effectively accommodates longer-distance passenger trips by designating a road or highway lane for the exclusive use of public transit buses. This strategy has gained in popularity due to its success in reducing the time transit buses spend stuck on congested roads. Several public transit agencies in California are currently operating or constructing BRT projects utilizing exclusive bus-only lanes, including the Alameda-Contra Costa Transit District (AC Transit), the Los Angeles County Metropolitan Transportation Authority, Omnitrans in San Bernardino County, the Sacramento Regional Transit District, the San Diego Metropolitan Transit System, and the Santa Clara Valley Transportation Authority (VTA).

According to *Best Practices in Implementing Tactical Transit Lanes*, a guide produced by UCLA ITS, transit-only lanes have been able to improve peak congestion travel times by 20-28%. These lanes can produce dramatic decreases in the variability of transit travel times. Research suggests that reducing the total amount of time it takes a transit rider to go door-to-door by 5-15% can increase urban peak ridership by 2-9%.

Similar to BRT, other types of mixed use lanes in dense urban areas and high-traffic streets can increase transit speeds, reduce congestion, increase ridership, and increase person throughput. These types of lanes sometimes are more permissive and will allow private buses, shuttles, bicycles, and taxis in the lanes. As an example, the city of San Francisco operates over 43 miles of dedicated transit lanes exclusive to public transit and taxi use.

For both BRT and mixed-use transit lanes, state law requires local authorities to place and maintain signs that inform drivers about which vehicles are permitted in the lanes and at what times. These lanes are enforced through traffic signs, local police departments, transit agencies, and sometimes cameras. The Manual for Traffic Control Devices has approved signage permitting the use of other vehicles in transit only lanes, including taxis.

According to the author, "Dedicated transit lanes incentivize people to use public transit by avoiding unnecessary traffic. Sustainable transportation utilization results in fewer cars on the road, less noise pollution, and healthier communities. California's Vehicle code definition of public mass transit leaves out modes of transportation that can help cities meet their sustainable transportation and traffic-reduction goals, such as services that do not charge a fee. AB 971 will authorize cities to implement and manage bus lanes on their local streets, as well as incentivize local shuttles provided on a fare-free basis, commuter shuttles provided by transportation management associations, and private employee commuter shuttles".

The City of Mountain View would like to create dedicated transit lanes exclusive to public transit, free shuttle services provided by nonprofits, and high occupancy private shuttles in order to increase the use of these types of shared-ride services. At this time, Mountain View is served by various transit operators, including VTA bus and light rail services, Caltrain commuter rail, MVgo shuttles, and the Mountain View Community Shuttle. In addition to private employee

shuttles that comprise 30% of Mountain View's peak traffic along shoreline boulevard. The Mountain View Community Shuttle is a free shuttle service created in partnership between the City of Mountain View and Google. With its five electric ADA-compliant vehicle fleet, the Mountain View Community Shuttle serves 50 stops and 220,000 to 175,000 riders seven days a week. An example of the kinds of solutions that supports the state's climate goals.

While the city of Mountain View, the sponsor of this bill, already has the authority to permit high occupancy vehicles in their transit only lanes, they believe additional clarity is necessary for existing law. They argue "To promote high-occupancy vehicle travel to meet sustainable transportation goals, cities like ours are undertaking projects to implement and expand dedicated mass-transit lanes. Mountain View is currently in the process of completing a dedicated reversible-transit lane that will allow for qualified operators of a transit bus to utilize this dedicated lane, which will change to accommodate heavy traffic moving in one direction at certain times of the day and the opposite direction at others."

Previous Legislation: SB 998 (Wieckoski) Chapter 716, Statutes of 2016, prohibits an individual from operating, stopping, parking or leaving a motor vehicle in a portion of the highway designated exclusively for public transit buses, except in specific circumstances, and requires signs be erected to identify these lanes.

AB 917 (Bloom) Chapter 709, Statutes of 2021, authorizes all public transit operators to install automated forward-facing parking control devices on transit vehicles for the purposes of enforcing parking violations occurring in transit-only traffic lanes and at transit stops and stations.

REGISTERED SUPPORT / OPPOSITION:

Support

City of Fremont
City of Mountain View
Streets for All

Opposition

None on file

Analysis Prepared by: Dirk Spencer / TRANS. / (916) 319-2093