
CONSENT

Bill No: AB 1479
Author: Tangipa (R), et al.
Amended: 6/23/25 in Senate
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 7/2/25
AYES: Durazo, Choi, Arreguín, Cabaldon, Laird, Seyarto, Wiener

SENATE TRANSPORTATION COMMITTEE: 15-0, 7/8/25
AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Cervantes, Dahle,
Gonzalez, Grayson, Limón, Menjivar, Richardson, Seyarto, Umberg, Valladares

ASSEMBLY FLOOR: 75-0, 4/24/25 (Consent) - See last page for vote

SUBJECT: County road commissioner: Counties of Madera and Tehama

SOURCE: Madera County

DIGEST: This bill allows the Counties of Madera and Tehama to make the county director of public works responsible for the county road commissioner's duties without requiring the director to be a civil engineer.

ANALYSIS:

Existing law:

- 1) Creates the Office of Road Commissioner for each county and, except in San Francisco, requires that every person who is appointed as Road Commissioner must be a civil engineer.
- 2) Requires the Road Commissioner to annually submit to the county board of supervisors a tentative road budget covering all proposed expenditures for county road purposes and manages personnel, equipment, and expenditures related to county road work.

- 3) Authorizes any county to abolish the Office of Road Commissioner if the county transfers all of the Road Commissioner's duties to the county Director of Transportation. The Director is not required to have any special permit, registration, or license, and any civil engineering functions required to be performed by the Road Commissioner must be performed by a registered civil engineer acting under the authority of the Director of Transportation.
- 4) Authorizes any county to create an office entitled Public Works Director, combining the duties of Road Commissioner and Surveyor and any other compatible duties not legally required to be performed by another county officer.
- 5) Permits the Orange County Board of Supervisors to abolish the Office of Road Commissioner if the board transfers all of the Road Commissioner's duties to an environmental management agency as specified.
- 6) Permits the Boards of Supervisors for Merced, Glenn, and Colusa counties to abolish the Office of Road Commissioner if it transfers all of the Road Commissioner's duties to the county director of the Department of Public Works, as specified.
- 7) Provides that cities and counties receive revenue from motor vehicle fuel taxes and vehicle registration fees allocated from a fund called the Highway User Tax Account (HUTA), which is available for transportation purposes.
- 8) Prohibits the State Controller, or any other state officer, from making HUTA allocations to counties that have vacancies in the position of road commissioner after 180 days have passed since the position became vacant.

This bill:

- 1) Provides that the Boards of Supervisors of Madera and Tehama Counties may abolish the Office of Road Commissioner if the Board transfers all duties of the Road Commissioner to their respective County Director of the Department of Public Works.
- 2) Specifies that the Director of the Department of Public Works of Madera and Tehama Counties shall not be required to have any special permit, registration, or license.

- 3) Requires any civil engineering functions that are required to be performed by the Road Commissioner to be performed by a registered civil engineer acting under the authority of the Director of the Department of Public Works.
- 4) Finds and declares that a special statute is necessary and that a general statute cannot be made applicable because of the particular needs of Madera and Tehama Counties, including difficulty in finding properly qualified candidates for the position of county road commissioner.

Background

In 2016, Madera County used AB 1318's authority to consolidated its surveyor and road commissioner positions into the director of public works position. According to Madera County, between the years 2016 and 2024 it had difficulties recruiting a licensed civil engineer for the public works director position, which performs the duties of the county road commissioner. At risk of having HUTA allocations withheld, the county contracted with a third party to fulfil that position. In late 2024, the county was successful in fulfilling the position of public works director. While the county has received all monthly HUTA allocations to date, if the county were to lose their current public works director, it is at risk of having HUTA allocations withheld. Similarly, Tehama County faced a vacancy for the road commissioner position three times over the past ten years. The applicant pool has gotten smaller with each recruitment effort. This year, their road commissioner resigned in February, and the county has struggled to find a qualified replacement. Tehama County currently has an interim public works director and is completing the final step to appoint a registered civil engineer as road commissioner.

Comments

According to the author, "AB 1479 is a simple measure to streamline county operations and reduce unnecessary expenses. The bill allows the County Board of Supervisors to eliminate the County Road Commissioner position and transfer its responsibilities to the Director of Public Works. For years, Madera and Tehama Counties have relied on Public Works for these duties, but outdated requirements have forced costly outsourcing of the Road Commissioner role. This inefficiency wastes taxpayer dollars without benefiting residents. AB 1479 ensures fiscal responsibility, strengthens county services, and modernizes governance to better serve Madera and Tehama Counties and their needs."

Home rule. California's 44 general law counties, including Madera and Tehama Counties, must adhere to the state laws that govern counties. With majority voter approval, a county can adopt, amend, or repeal a charter that grants it home rule

authority over specified matters, including county officers' qualifications and county office consolidations. By adopting a county charter, local voters can empower their county supervisors to appoint a director of public works to act as the county road commissioner and determine what qualifications a person must meet. Either county does not need to wait for the Legislature to act. The Legislature may wish to consider whether Madera and Tehama County voters should get to decide whether to transfer the responsibility for performing Madera or Tehama County's road commissioner functions to the director of public works regardless of whether the director is a registered civil engineer.

Another one? Since 1979, a county board of supervisors could abolish the position of road commissioner and transfer its duties to the county director of the department of transportation. Since then, the Legislature has authorized the counties of Orange, Merced, Colusa, Glenn, and Siskiyou to abolish their road commissioner positions if they transferred those duties to the environmental management agency or the county director of the department of public works. Madera and Tehama counties would be the sixth and seventh counties to receive special statute reorganizing their county road commissioner position. Rather than a county-by-county approach, the Legislature may wish to consider whether to allow all counties to transfer the duties of road commissioner to any county director department similar to a county director of the department of transportation.

Premature? AB 1479 authorizes the Counties of Madera and Tehama to eliminate the office of road commissioner to avoid the risk of having HUTA allocations withheld for lack of a road commissioner. However, in December 2024, Madera County filled its vacant public works director position, which carries out the duties of the county road commissioner and requires the person to be a registered civil engineer. Tehama County is currently in the final stages of appointing someone to the road commissioner position. While both counties may have smaller applicant pool than more populous counties, they have successfully filled the position under the current qualifications. At this time, neither county needs the changes proposed in AB 1479 to transfer road commissioner duties to the public works director that doesn't have to be a registered civil engineer. The Legislature may wish to consider whether giving the Counties of Madera and Tehama an exception at this time is premature.

Related/Prior Legislation

SB 207 (Dahle, Chapter 24, Statutes of 2022) – Authorized the Board of Supervisors of Siskiyou County to transfer the duties of the Road Commissioner to the County Director of the Department of Public Works.

SB 79 (Nielsen, Chapter 33, Statutes of 2021) – Authorized the Board of Supervisors of Colusa County and the Board of Supervisors of Glenn County to transfer the duties of the County Road Commissioner to the County Director of the Department of Public Works.

SB 907 (Canella, Chapter 135, Statutes of 2018) – Authorized the Board of Supervisors of Merced County to abolish the Office of Road Commissioner if it transfers all of the Road Commissioner's duties to the County Director of the Department of Public Works.

AB 807 (Carpenter, Chapter 426, Statutes of 1975) – Authorized the Board of Supervisors of Orange County to abolish the Office of Road Commissioner if it transfers all of the Road Commissioner's duties to an environmental management agency.

AB 247 (Hayden, Chapter 83, Statutes of 1979) – Authorized any county to abolish the Office of Road Commissioner if the county transfers all of the Road Commissioner's duties to the county Director of Transportation.

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

SUPPORT: (Verified 7/10/25)

County of Madera (Source)

OPPOSITION: (Verified 7/10/25)

None received

ASSEMBLY FLOOR: 75-0, 4/24/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Fariás, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Chen, Gallagher, Harabedian, Lackey

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7/14/25 16:22:24

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