

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2168 (Wicks) – As Amended April 13, 2026

Policy Committee: Transportation

Vote: 11 - 4

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill expands the project types and criteria by which the California Transportation Commission (CTC) is to develop guidelines for the eligibility and selection of projects to be funded by the Active Transportation Program (ATP).

Specifically, this bill:

- 1) Modifies the existing codified statement of legislative intent that the ATP increase the proportion of trips accomplished by biking and walking so that, under the bill, such trips include access to public transit stops and stations and other transit facilities.
- 2) Regarding CTC's development of ATP project eligibility guidelines, expands direction in current law that CTC include, among others, project types that are safe routes to transit projects, so that, under the bill, such projects encourage access to transit facilities and schoolbus stops by biking and walking, including, but not limited to, transit station areas, planned transit or schoolbus stops, transit corridors, transit-oriented development planning areas and projects that will expand access to transit in underserved or rural areas.
- 3) Regarding CTC's development of ATP project selection guidelines, expands direction in current law so that CTC includes in its criteria:
  - a) Projects that identify walking and bicycling routes to and from school, transit facilities and community centers, so that, under the bill, such projects are those that identify walking and bicycling routes to and from community centers, schools, transit stops, stations and other transit facilities, including the potential for encouraging increased access to public transit.
  - b) Recommendations to maximize commitments of state transportation improvement program (STIP) funds to projects in order to scale funding for larger or network-level active transportation improvements.
- 4) Modifies existing law that allows CTC project eligibility guidelines to include incentives intended to maximize the potential for attracting funds other than program funds for eligible projects.
- 5) Requires CTC's guidelines include progressive penalties that range from a deduction of points to disqualification for an applicant that failed to use previously received program

funds in a timely manner, and, in doing so, consider factors that are not under the control of an applicant.

### **FISCAL EFFECT:**

The requirements of this bill do not lead to significant new work for CTC. For the most part, the bill provides additional direction to CTC, rather than creating whole new funding categories or increasing funding obligations.

Nonetheless, CTC warns the bill, as written, will lead to substantial new—and duplicative—work of CTC. This is because CTC recently adopted guidelines for the 2027 ATP (Cycle 8), which opened the call for projects with an application deadline of June 22, 2027. CTC adopted those guidelines consistent with existing law, not consistent with the language in this bill. Yet, if this bill becomes law, CTC believes it would need to significantly modify its Cycle 8 guidelines and applicants would need to resubmit applications based on those revised guidelines, both of which CTC contends would likely be impossible within established timeframes. CTC suggests this situation could be avoided if the bill were to be amended with an effective date of January 1, 2028.

In addition, to the extent the bill leads to projects not receiving ATP funding that would have received such funding, absent the bill, the bill creates cost pressure to provide additional monies to fund those projects, too (General Fund or special funds).

### **COMMENTS:**

State law establishes the ATP to fund projects that encourage increased use of active modes of transportation, such as biking and walking. The law directs CTC, in consultation with representatives of government agencies and active transportation stakeholder organizations with expertise in pedestrian and bicycle issues, to develop guidelines that govern CTC's selection of projects to receive ATP funding and to award funds, based on those guidelines, in four-year funding cycles.

The ATP receives monies from both state and federal sources, including state excise taxes on gasoline. State funding for ATP has fluctuated wildly in recent years, as the state augmented the program, then revoked some of that augmentation in light of the state's own budget challenges. CTC describes a "typical" funding cycle as one with available ATP resources totaling \$450 million and notes that requests consistently far outstrip the amount of ATP funding available.

According to People for Bikes, AB 2168 improves the ATP by:

encouraging larger, network-level investments and prioritizing projects that dedicate significant resources to active transportation. These changes will help maximize the impact of state funding, improve connectivity, and deliver more meaningful safety and mobility benefits for people biking and walking. Additionally, the inclusion of accountability measures for timely use of funds will help ensure that awarded projects move forward efficiently and that program dollars are put to work quickly.

In contrast, the Riverside County Transportation Commission (RCTC) objects to both (1) what it describes as the potential for an ATP applicant's project to be disadvantaged if the applicant uses

STIP funds for “critical transportation improvements” other than active transportation projects and (2) the bill’s penalty provisions, which RCTC sees as unfair, because, as RCTC describes it, “large projects often contain unanticipated delays and setbacks, which can be challenging for smaller agencies to manage while meeting original project schedules.”

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