

ASSEMBLY THIRD READING

AB 2168 (Wicks)

As Amended May 18, 2026

Majority vote

SUMMARY

Expands the types of projects eligible for Active Transportation Program (ATP) funding to include projects that provide access to transit and requires the California Transportation Commission (CTC), on or after January 1, 2028, to include in its ATP guidelines penalties for failure to use ATP funds in a timely manner.

Major Provisions

- 1) Expands the goals of ATP to include increasing the proportion of trips accomplished by accessing public transit stops, stations, and other transit facilities.
- 2) For the purposes of the development of ATP project eligibility guidelines, revises and expands the definition of “safe routes to transit” to include projects that encourage access to transit station areas, planned transit, transit corridors, and transit-oriented development planning areas, and projects that will expand access to transit in underserved or rural areas.
- 3) Adds the following to the project selection criteria the CTC must consider in the development of ATP guidelines:
 - a) Potential for encouraging increased access to public transit.
 - b) Recommendations to maximize commitments of state transportation improvement program funds to projects funded by the program in order to scale funding for larger or network-level active transportation improvements.
- 4) Requires, instead of authorizes, the CTC, on or after January 1, 2028, to include in ATP guidelines incentives intended to maximize the potential for attracting funds other than program funds for eligible projects
- 5) Requires the CTC, on or after January 1, 2028, to include in ATP guidelines a progressive range of penalties that range from a deduction of points to disqualification for an applicant that failed to use previously received program funds in a timely while considering factors not under the control of an applicant.

COMMENTS

Evolution of Safe Routes to Schools to ATP. SB 99 (Committee on Budget), Chapter 359, Statutes of 2013 created the ATP, which represents an amalgamation of historically small, dedicated grant programs for Safe Routes to Schools (SRTS), bicycle programs, and recreational trails. The concept of SRTS was indirectly inspired by a 1973 federal law making grants to states to increase bicycle and pedestrian safety. This provided the foundation, many years later, for Congress to pass the federal SRTS program in 2005 with the goal of improving the ability of primary and middle school students to safely walk and bicycle to school.

ATP is chronically over-subscribed. Today, the ATP is competitive grant program funded by state and federal sources at approximately \$123 million annually and while continuing to support SRTS projects it has evolved to fund bike paths, safe routes to transit, other non-motorized forms of transport (e.g., scooters, wheelchairs), development of relevant planning documents, and education and "encouragement" activities. It is a highly popular program—according to the CTC, in its 7th and most recent cycle (2025), one of the most competitive since inception, it received 277 project applications requesting \$2.5 billion in funds, about 15 times the \$169 million that was available. Half of total funding is reserved for statewide projects, 40% is reserved for projects within the boundaries of Metropolitan Planning Organizations in urban areas with populations greater than 200,000, and the remaining 10% is dedicated for small urban/rural regions with populations less than 200,000.

According to the CTC, "The Active Transportation Program continues to face significant unmet demand, as communities across the state look to the program to fund critical active transportation projects needed to meet California's safety, climate, and equity goals. Sustained and additional funding is needed to fund the hundreds of critically needed high-quality projects that remain unfunded each cycle." Through the 6th cycle, 1,148 projects have been programmed (*i.e.*, funding approved) and 551 or 48% of projects have been completed.

The CTC already incentivizes and rewards transit access projects. This bill requires the CTC, when developing ATP project eligibility and selection guidelines, to include as a new criterion the potential for encouraging increased access to public transit. This bill does not define "transit access" but the sponsors have described it as extending a bike or pedestrian trip or connecting transportation networks like a bike path to a transit facility. *According to the author:*

Current ATP statute and guidelines do not adequately prioritize the locations where active transportation investments generate the greatest return on investment. Specifically, the program's existing definition of "safe routes to transit" fails to specify the broader landscape of transit-supportive geography—station areas, frequent transit corridors, transit stop walksheds, and infill—where active transportation improvements can most effectively connect people to transit and reduce vehicle miles traveled (VMT).

It is unclear if this bill would result in outcomes substantially different than the status quo. Program guidelines and scoring criteria that the CTC has established already incentivize applicants to consider project "need in the context of connectivity to key destinations including connections to transit, mobility to access everyday needs and services, and local public health concerns" and the CTC awards the greatest number of points (up to 38 out of 100) to this criterion. Projects facilitating improved transit connections, for example, already score higher today and an applicant can earn additional points for projects that transform a "non-motorized environment" or supporting existing or planned housing (especially affordable housing).

In fact, in the most recent round of ATP projects under consideration, the CTC awarded funding for 13 projects, 11 of which provide some connection to transit facilities such as public/school buses or light rail.

Nonetheless, it is reasonable to update ATP goals and guidelines to clarify eligibility of a wider scope of transit access projects and to modernize the program's statute to recognize the benefits of, for example, connecting a bike pathway to a transit facility. At the same time, the CTC should not give undue advantage to certain types of projects more commonly found in urban

areas to avoid inadvertently disadvantaging less urban or rural regions of the state without the population density to support extensive public transit networks.

Finally, despite "transit access" projects being already eligible for higher scoring, there are other criteria, pursuant to ATP's statutory goals, that the CTC is obligated to consider providing access to everyday needs and services by walking or bicycling for persons of all ages and disabilities—not just commuters or transit users—or local public health concerns (e.g., childhood obesity). In fact, among other statutory goals, the CTC is mandated to consider "a broad spectrum of projects to benefit many types of active transportation users". This succinctly captures the CTC's delicate balancing act when considering six statutory goals and a minimum of ten eligible project types, also dictated by statute, particularly for a significantly over-subscribed program.

According to the Author

According to the author, "AB 2168 makes targeted, commonsense improvements to ensure California's Active Transportation Program (ATP) funds are spent effectively and efficiently. The legislation modernizes the definition of safe routes to transit, shifting focus toward transit-rich corridors, infill opportunity areas, and station walksheds — places where active transportation investments provide the deepest community benefits, giving people the option to not drive at all. It adds transit access as an explicit project selection criterion, aligning ATP priorities with California's broader climate and housing goals. It rewards applicants who leverage State Transportation Improvement Program (STIP) funds to active transportation. And it establishes a clear penalty structure for grantees who fail to spend funds on time, ensuring that awarded dollars move from paper to pavement without delay. Taken together, AB 2168's reforms sharpen the program's focus, reward strategic investment, and hold awardees accountable".

Arguments in Support

California Bicycle Coalition states: "AB 2168 makes critical updates to ensure that ATP investments more effectively increase access to public transit, particularly in transit-rich and infill areas. By prioritizing projects that improve walking and bicycling connections to transit, this bill helps reduce greenhouse gas emissions, supports California's climate goals, and promotes healthier, more sustainable communities. Additionally, the bill enhances accountability by introducing clearer expectations and potential consequences for projects that do not use awarded funds in a timely manner. This ensures that limited transportation dollars are used efficiently and that high-impact projects are delivered without unnecessary delays."

Arguments in Opposition

Nevada County Transportation Commission is opposed unless amended to the bill and has requested clarifying amendments to the provision requiring the CTC to include in its guidelines incentives to attract matching or outside funding.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

Minor costs to CTC.

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).

VOTES

ASM TRANSPORTATION: 11-4-1

YES: Wilson, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Jackson, Papan, Ransom, Rogers, Sharp-Collins

NO: Davies, Hoover, Lackey, Macedo

ABS, ABST OR NV: Ávila Farías

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta, Tangipa

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