
THIRD READING

Bill No: AB 2168
Author: Wicks (D)
Amended: 6/22/26 in Senate
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 8-4, 6/30/26

AYES: Cortese, Archuleta, Arreguín, Blakespear, Grayson, Menjivar, Richardson, Wiener

NOES: Strickland, Dahle, Seyarto, Valladares

NO VOTE RECORDED: Gonzalez

ASSEMBLY FLOOR: 58-20, 5/28/26 - See last page for vote

SUBJECT: Active Transportation Program: guidelines

SOURCE: Author

DIGEST: This bill directs the California Transportation Commission (CTC) to establish penalties for failure to use Active Transportation Program (ATP) funds in a timely manner, clarifies ATP eligibility criteria related to projects that provide access to transit, and expands the goals of ATP to include increasing the proportion of trips accomplished by accessing public transit.

ANALYSIS:

Existing law:

- 1) Establishes ATP within the California Department of Transportation (Caltrans) to encourage increased use of active modes of transportation, such as biking and walking, expresses the intent of the Legislature that the program achieves all of the following goals:
 - a) Increase the proportion of trips accomplished by biking and walking.
 - b) Increase safety and mobility for nonmotorized users.

- c) Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals pursuant to Senate Bill 375 (Steinberg, Chapter 728, Statutes of 2008) and Senate Bill 391 (Liu, Chapter 585, Statutes of 2009).
 - d) Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.
 - e) Ensure that disadvantaged communities fully share in the benefits of the program.
 - f) Provide a broad spectrum of projects to benefit many types of active transportation users. (Streets and Highways (SHC) §2380)
- 2) Requires CTC to ensure that eligible projects meet one or more of the above goals and authorizes it to give increased weight to projects meeting multiple goals. (SHC §2382)
 - 3) Requires CTC to develop ATP guidelines and project selection criteria in consultation with an ATP Workgroup; the guidelines must include topics like project eligibility, application timelines, application rating and ranking criteria, project monitoring, reporting, and transparency, and project performance measurement. (SHC §2382)
 - 4) Requires the guidelines to ensure that no less than 25% of overall program funds benefit disadvantaged communities during each program cycle. (SHC §2382)
 - 5) Requires CTC to include, but not be limited by, the following project types in its project eligibility guidelines:
 - a) Development of new bikeways and walkways, or improvements to existing bikeways and walkways, that improve mobility, access, or safety for nonmotorized users.
 - b) Secure bicycle parking at employment centers, park and ride lots, rail and transit stations, and ferry docks and landings.
 - c) Bicycle-carrying facilities on public transit, including rail and ferries.

- d) Installation of traffic control devices to improve the safety of pedestrians and bicyclists.
 - e) Elimination of hazardous conditions on existing bikeways and walkways.
 - f) Maintenance of bikeways and walkways.
 - g) Recreational trails and trailheads, park projects that facilitate trail linkages or connectivity to nonmotorized corridors, and conversion of abandoned railroad corridors to trails.
 - h) Safe Routes to School projects that improve the safety of children walking and bicycling to school.
 - i) Safe routes to transit projects, which encourage transit by improving biking and walking routes to mass transportation facilities and school bus stops.
 - j) Educational programs to increase biking and walking, and other noninfrastructure investments that demonstrate effectiveness in increasing active transportation. (SHC §2382)
- 6) Requires CTC to include, but not be limited by, the following criteria in project selection guidelines:
- a) Demonstrated needs of the applicant.
 - b) Potential for reducing pedestrian and bicyclist injuries and fatalities.
 - c) Potential for encouraging increased walking and bicycling, especially among students.
 - d) Potential for encouraging increased access to public transit.
 - e) Identification of safety hazards for pedestrians and bicyclists.
 - f) Identification of walking and bicycling routes to and from schools, transit facilities, stops and stations, and community centers.

- g) Identification of the local public participation process that culminated in the project proposal, which may include noticed public meetings and consultation with local stakeholders.
- h) Benefits to disadvantaged communities.
- i) Cost-effectiveness, defined as maximizing the impact of the funds provided.
- j) The adoption by a city or county applicant of a bicycle transportation plan, a pedestrian plan, a safe routes to school plan, or an overall active transportation plan.
- k) Use of the California Conservation Corps or a qualified community conservation corps as construction partners.
- l) Other factors, such as potential for reducing congestion, improving air quality, reducing greenhouse gas emissions, and increasing and improving connectivity and mobility of nonmotorized users.

This bill:

- 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) On or after January 1, 2028, this bill:
 - a) 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 or school bus stops, transit corridors, and transit-oriented development planning areas, and projects that will expand access to transit in underserved or rural areas.
 - b) Adds the potential for encouraging increased access to public transit to the project selection criteria CTC must consider in the development of ATP guidelines.
 - c) Requires, instead of authorizes, ATP guidelines to include incentives intended to maximize the potential for attracting funds other than program

funds for eligible projects in order to scale funding for larger or network level active transportation improvements.

- d) Requires ATP project selection guidelines to include a progressive range of penalties that range from a deduction of points to disqualification for an ATP applicant that failed to use previously received program funds in a timely manner. Specifies that CTC must take into consideration factors that are not under the control of an applicant and may impose no penalties or delayed penalties.
- e) Specifies that ATP project selection guidelines must include a requirement that an applicant consult the executive officer of the transit agency operating in the project corridor if the project will be adjacent to an existing bus, shuttle, or paratransit route. The consultation must provide project information, expected impact on the transit route, and a statement that the applicant will continue consultation with the transit agency should the grant be awarded.

Comments

- 1) *Purpose of the bill.* According to the author, “AB 2168 makes a series of modest, commonsense improvements to ensure California's Active Transportation Program funds are spent effectively and efficiently. It modernizes the definition of safe routes to transit, shifting focus toward transit-rich corridors, infill opportunity areas, station walksheds, and underserved or rural areas — places where active transportation investments provide the deepest community benefits, giving people the option to potentially not drive at all. It adds transit access as an explicit project selection criterion, aligning with California's broader climate and housing goals. It directs the state to provide recommendations to maximize complimentary commitments of state transportation improvement program (STIP) funds to scale funding for larger or network-level active transportation improvements. And it establishes a graduated penalty structure for grantees who fail to spend funds on time, helping ensure that awarded dollars move from paper to pavement without delay.”
- 2) *ATP Background.* The Active Transportation Program was created by SB 99 (Senate Committee on Budget and Fiscal Review, Chapter 359, Statutes of 2013) to encourage increased use of active modes of transportation. Administered by CTC, the goals of ATP include increasing the proportion of

trips accomplished by walking and biking, increasing the safety and mobility of non-motorized users, advancing efforts of regional agencies to achieve greenhouse gas reduction goals, enhancing public health, and providing a broad spectrum of projects to benefit many types of users including disadvantaged communities. In 2017, the Legislature passed and the Governor signed SB 1 (Beall, Chapter 5, Statutes of 2017) which directed \$100 million annually from the Road Maintenance and Rehabilitation Account to ATP, significantly augmenting the available funding for this popular program.

- 3) *ATP is highly competitive.* CTC has programmed \$3.9 billion to over 1,200 ATP projects statewide over the course of seven programming cycles. However, ATP remains significantly oversubscribed as the demand for active transportation projects far outpaces the available funds. The 2025 ATP had a funding capacity of \$168.7 million, one of the lowest in the history of the program, and funded nine projects in its statewide component, compared to 67 projects funded in the previous cycle. This was due to the \$400 million reduction to the program in the 2024-25 State Budget. CTC received 277 applications requesting \$2.5 billion for projects valued at \$4.1 billion, almost 15 times greater than the 2025 Program's funding capacity.¹
- 4) *Funding safe routes to transit.* AB 2168 makes numerous changes to ATP statute to promote projects with links to transit. Among these changes, this bill adds increasing access to public transit stops, stations, and other transit facilities to the overarching goals of ATP. Although transit access is not specifically listed in ATP's current overarching goals, safe routes to transit projects are currently eligible for ATP funding. These projects encourage transit by improving biking and walking routes to mass transportation facilities and school bus stops. This bill modifies the definition of safe routes to transit to include planned transit or school bus stops, transit corridors, transit-oriented development planning areas, and projects that will expand access to transit in underserved or rural areas. CTC currently considers ATP applicants' connectivity to key destinations, including connections to transit. AB 2168 clarifies this existing requirement by adding additional specificity related to transit stops, stations, and access. It is not clear to what extent the modifications will actually change which projects are eligible, and eventually selected, for ATP funding.
- 5) *Penalties for delayed projects.* In response to concerns that a small number of recipients of ATP funding have not used the funds in a timely manner, this bill

¹ California Transportation Commission, 2025 Annual report [2025 Annual Report to the California Legislature](#)

directs CTC to develop a progressive range of penalties to penalize recipients for these delays. The penalties would need to range from a deduction of points to disqualification for an applicant. CTC must consider factors that are not under the control of an applicant and would have the flexibility to choose not to impose penalties if appropriate.

This provision builds off CTC's current practice. The Commission currently monitors projects funded through ATP to track the progress of project delivery. CTC expects certain deadlines to be met as programmed projects are implemented. If the expected deadlines are not met and a time extension is not approved prior to the expiration of a deadline, ATP funds will lapse, and the project or project phase will be deleted from ATP. Lapsed funds are returned to ATP for use in future cycles. For example, construction contracts must be awarded within six months of an approved allocation. CTC grants extensions for a range of circumstances that could delay a project, such as wildfires.²

Writing in support, the California Big City Mayors Coalition states, "[t]he coalition also supports the bill's accountability provisions, which create clearer expectations and potential consequences for projects that do not use awarded funds in a timely manner. These provisions help ensure limited and competitive transportation dollars are used efficiently and that high-impact projects are delivered without unnecessary delays."

- 6) *Other changes to ATP.* AB 2168 makes additional, largely clarifying, changes to ATP's eligibility criteria and project selection guidelines. Among these changes, this bill seeks to reward applicants that use other sources of funding to scale funding for larger or network level active transportation improvements. Currently, CTC can (and does) incentivize applicants to maximize ATP funding by utilizing funding from other sources for the projects, too. This bill requires CTC to continue this practice. This bill also includes requirements that a project applicant consult the executive officer of the transit agency operating in the project corridor if the project will be adjacent to an existing bus, shuttle, or paratransit route.

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

SUPPORT: (Verified 8/3/26)

350 Bay Area Action
350 Sacramento

² [2027 Active Transportation Program Guidelines](#)

Activesgv
Alameda-contra Costa Transit District
Albany Strollers & Rollers
Big City Mayors
Bike Coalition San Diego County
Bike Concord
Bike East Bay
Bike LA
Bike Monterey
Bike Walk Alameda
Bike Walnut Creek
Bikewalkcv (Castro Valley)
California Bicycle Coalition
California Big City Mayors Coalition
California Teachers Association
Center for Community Action and Environmental Justice
Chico Velo
Cleaneearth4kids.org
Climate Plan
Coalition for Clean Air
Ecology Action
El Cerrito Richmond Annex Walk & Roll
Inland Empire Biking Alliance
Los Angeles Critical Mass
Marin County Bicycle Coalition
Monterey-Salinas Transit
Move LA
Move Santa Barbara County
Napa County Bicycle Coalition
Nrdc
People for Bikes
Sacramento Area Bicycle Advocates
San Diego 350
San Francisco Bicycle Coalition
Santa Monica Safe Streets Alliance
Santa Monica Spoke
Shasta Living Streets
Silicon Valley Bicycle Coalition
Slow Down Sacramento
Streets for All

Streets Forward
 Sunnyvale Safe Streets
 Transbay Coalition
 Transform
 Vibrant Lafayette
 Walk Bike Berkeley
 Zerow.org

OPPOSITION: (Verified 8/3/26)

County of Shasta

ARGUMENTS IN SUPPORT: According to the California Bicycle Coalition, “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: According to Shasta County, “The bill’s requirement for the California Transportation Commission to impose a progressive range of penalties on applicants who fail to use previously awarded ATP funds in a timely manner also presents a substantial challenge for rural jurisdictions. Delays in project delivery often arise from outside factors, including right-of-way constraints, environmental review timelines, contractor availability, and escalating construction costs. Penalizing agencies risks further disadvantaging communities already struggling to secure competitive grants.”

ASSEMBLY FLOOR: 58-20, 5/28/26

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher,
Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez,
Ta, Tangipa, Wallis

NO VOTE RECORDED: Quirk-Silva, Celeste Rodriguez

Prepared by: Isabelle LaSalle / TRANS. / (916) 651-4121
8/5/26 15:04:30

**** **END** ****