
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2788 (Committee on Transportation) - Transportation: omnibus bill

Version: June 17, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: TRANS. 13 - 0, JUD. 13 - 0

Mandate: Yes

Consultant: Mark McKenzie

Bill Summary: AB 2788, the transportation omnibus bill, would make a number of non-controversial changes to various sections of law pertaining to transportation.

Fiscal Impact:

- The California Transportation Commission (CTC) indicates that its costs to facilitate amendments to Alameda County Transportation Commission's local alternative transportation improvement program (LATIP) would be minor and absorbable. (State Highway Account, Public Transportation Account)
- The remaining provisions are not likely to result in state costs that cannot be absorbed.

Proposed Law: AB 2788, the transportation omnibus bill, would do the following:

- Authorize the Alameda County Transportation Commission, with the approval of impacted cities and the county, to propose amendments that would revise the projects listed in the LATIP, subject to specified conditions, and authorize the CTC to approve those amendments.
- Explicitly state that the Bays of San Francisco, San Pablo and Suisun include the Ports of Sacramento and Stockton, and that insurance provisions apply to any portion of a vessel transit that occurs within the waters of the Ports of Sacramento and Stockton.
- Make the following changes to provisions enacted by SB 748 (Ashby), Chap. 782/2025, pertaining to automated enforcement of traffic signal violations:
 - Specify that data about the number of automated traffic enforcement violations issued is not an administrative record prohibited from disclosure and is subject to disclosure.
 - Delete references to the small claims or traffic divisions of the superior court and specify that a person contesting an automated traffic enforcement violation may file an appeal with the superior court.
 - Explicitly states that an appeal of an automated traffic enforcement violation may be performed by a commissioner or other subordinate judicial officer at the discretion of the presiding judge of the court.
- Explicitly state that motor carriers, drivers, vehicles and shippers shall comply with the regulations in Part 107 and Parts 171 to 180, inclusive, of Title 49 of the Code of Federal Regulations, to the extent that they relate to the transportation of hazardous

materials by highway, as they now exist or are hereafter amended.

- State that the regulations in Part 107 and Parts 171 to 180, inclusive, of Title 49 of the Code of Federal Regulations applies to motor carriers, drivers, vehicles, and shippers regardless of whether they are subject to the federal regulations, unless they are specifically exempted under specified regulations.

Staff Comments:

Alameda County Local Alternative Transportation Improvement Program. Beginning in the 1970s, the Department of Transportation (Caltrans) purchased large amounts of property in southern Alameda County to construct the State Highway Route (SR) 238 bypass and improvements to SR 84 between SR 238 and Interstate 880 but never built the facilities. In response, the local cities and county, jointly with the local transportation planning agency, were authorized to develop a specified LATIP that addressed transportation problems and opportunities in the area to be served by the unbuilt facilities. The CTC has final authority over the content and approval of the LATIP, and all proceeds from the sales of the SR 238 excess properties, less any reimbursements, must be deposited into a separate account in the Special Deposit Account (a continuously appropriated fund), and allocated by the CTC to fund the LATIP projects.

As adopted, the LATIP lists projects in priority order. Some of the projects listed are not moving forward due to changes in local priorities, but the CTC is not able to fund projects further down the list until the higher priority projects are completed. Furthermore, existing law states that the CTC “shall not approve any local alternative transportation improvement program submitted after July 1, 2010”. As a result, some LATIP projects in the region are not able to advance because they cannot be moved up the priority list and current law precludes the CTC from making any changes. AB 2788 would address this issue by allowing the local governments and CTC to amend the existing plan, subject to specified conditions.

Staff notes that this bill technically makes an appropriation, since it provides for changes to the use of funds deposited into a continuously appropriated fund (the Special Deposit Account).

Sacramento and Stockton bar pilots. California state law provides mission-critical indemnity protection for maritime pilots licensed by the State to pilot ships on the bays of San Francisco, San Pablo, and Suisun, and the tributaries thereto. These bays tributary waters form the “pilotage grounds” that are under the jurisdiction of the Board of Pilot Commissioners (BOPC).

However, both the Port of Stockton and the Port of Sacramento are granted their own “exclusive” jurisdiction over pilots and pilotage within the port district. Historically, both ports have granted commissions to certain pilots already licensed by the BOPC to pilot ships transiting the waters of the respective ports. Existing law that establishes those port districts (Division 8 of the Harbors and Navigation Code [HNC]), and the accompanying grants of authority do not include any specific provision for indemnification of such pilots.

It has long been assumed by stakeholders, including the individual pilots that are

members of the San Francisco Bar Pilots Association, the operators of the ports, and the Pacific Merchant Shipping Association, that HNC 1198 applied within the waters of those ports, “exclusive jurisdiction” over pilots and pilotage granted to the ports notwithstanding. AB 2788 would affirm the intent of HNC 1198 and clarify the application of the indemnity provision therein to cover the entirety of vessel transits up the rivers, into and within the waters of the ports of Stockton and Sacramento.

Automated enforcement violations and appeals. SB 720 (Ashby), Chap. 782/2025, authorizes cities and counties to establish an automated traffic enforcement system program to detect a violation of a traffic control signal, if the system meets specified requirements. Additionally, the bill provides for the issuance of a notice of violation, an initial review, an administrative hearing, and an appeals process, as specified, for a violation under the program.

SB 720 was modeled after AB 645 (Friedman), Chap. 808/2023, which authorized specified cities to establish a Speed Safety System Pilot Program, utilizing automated enforcement for speeding violations. AB 645 clearly states, “Notwithstanding any provision of the California Public Records Act, or any other law, photographic or administrative records made by a system shall be confidential. Public agencies shall use and allow access to these records only for the purposes authorized by this article or to assess the impacts of the system. Data about the number of violations issued and the speeds at which they were issued is not considered an administrative record required not to be disclosed by this section.”

In drafting SB 720, there was an error in mirroring this language. AB 2788 ensures that the automated enforcement programs that are authorized under SB 720 continue to keep individual violation information confidential while maintaining the ability to report data on the number of violations recorded.

AB 2788 additionally makes clarifying changes around the court appeals process outlined in SB 720. Specifically, existing law refers to filing an appeal to specific divisions within the superior court. AB 2788 instead allows for an appeal to be filed with the superior court, which would provide the court with flexibility to properly assign the appeal. The current process also states that “the appeal under this section is a subordinate judicial duty”. This bill makes the use of the subordinate judicial officer permissive, rather than required, to allow judges to also hear these cases where the court deems it necessary based on availability. AB 2788 further mirrors this change in language in other code sections with similar language.

Transportation of hazardous materials. Motor carriers transporting hazardous materials are compelled by federal law to comply with the Hazardous Materials Regulations (HMR) adopted by the Pipeline and Hazardous Materials Safety Administration (PHMSA). The California Highway Patrol is responsible for promoting the safe operation of regulated vehicles through reasonable regulations. With respect to transporting hazardous materials, this is accomplished by incorporating the federal HMR by reference in Title 13, California Code of Regulations (CCR).

The Administrative Procedure Act requires any incorporation of federal regulations to be done by year of publication. As a result, Title 13 of the CCR regarding HMR is outdated annually when the publication date of the Code of Federal Regulations (CFR) is

updated. During the time period where the federal HMR and California hazardous materials regulations are inconsistent, carriers are allowed to comply with current federal HMR pursuant to Title 13, CCR, Section 1160.2. This leads to inconsistencies between state and federal regulations and confusion between carriers and those attempting to enforce the federal HMR. Additionally, this places California-based carriers transporting into other states at a disadvantage because complying with California law is not acceptable when transporting out of state where the most current federal HMR will be enforced.

AB 2788 addresses this issue by clarifying that the federal regulations apply to all vehicles in the state, not otherwise exempt, and that the federal regulations apply as they exist now or are amended in the future.

Proposed Author Amendments: The author has proposed technical and clarifying amendments to do the following:

- Replace “Alameda County” with “the County of Alameda” on page 4, line 6.
- Replace “council of each city located in” with “councils of the Cities of Hayward and San Leandro and the board of supervisors of” on page 4, line 22.

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