



JPB Board of Directors  
Meeting of May 5, 2022

Correspondence as of April 29, 2022

# Subject

1 SB 917 – Bay Area Transit Operator Consolidated Comments



April 25, 2022

The Honorable Josh Becker  
California State Senate  
1021 O Street, Suite 7250  
Sacramento, CA 95814

RE: SB 917 – Bay Area Transit Operator Consolidated Comments

Dear Senator Becker,

On behalf of the undersigned Bay Area transit operators, thank you for the time and effort you and your staff continue to invest in SB 917. We appreciate your willingness to engage directly with transit operators, and we share your desire to improve our regional coordination for the benefit of all riders.

Our agencies have collectively reviewed the April 18 amendments to SB 917 and believe some of these changes align with recommendations within the Metropolitan Transportation Commission's (MTC) Transit Transformation Action Plan as well as the Fare Coordination and Integration Study, which was a collaboration between MTC and the Bay Area's transit agencies. Further, the amendments address concerns regarding implementation deadlines, the withholding of State Transit Assistance funds, and need for additional funding, while expanding the bill's scope to include important elements such as establishing a transit priority network. We are encouraged by this progress, but also wish to express our continued concerns with certain provisions of the bill as detailed below.

As you know from previous communications, our primary concerns pertain to the adoption of an integrated transit fare structure and fare-setting authority granted to MTC in Section 5 of the bill. All public transit agencies have a fiduciary responsibility to use their resources (locally derived revenue, fares, operating assistance, etc.) to deliver essential transportation service. This responsibility extends to each agency's policy-making board, which is charged with setting fares that support the transit service provided and are affordable to the communities the agency serves. SB 917, as currently written, effectively removes authority over fare-setting, transfer rules, and pass programs from transit agencies and shifts it to MTC and a "regional transit coordinating council" (RTCC). While we understand the process would include operator input, we have concerns that the RTCC is not well defined in the Public Utilities Code (PUC) and is not the body to best resolve issues related to governance and fare-setting authority.

Transit operators are dependent on fare revenue to fund their operating and capital budgets and are especially concerned that decisions regarding an integrated fare structure will be made by entities other than our respective boards. Setting fares is one of the few levers that operators can use to balance their budgets. As operators work to rebound from the pandemic, we believe the stakes are too high for this level of ambiguity in the proposed legislation. In addition, the proposed changes would create an accountability gap between those setting fares and those providing service. Potential unintended consequences may include service reductions that impact riders due to a lack of sustainable funding.

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We are currently in the process of developing alternatives to language within Section 5 of the bill and look forward to engaging with you and your staff moving forward.

Furthermore, there are distinct agency- and mode-specific concerns that we wish to address in future amendments. For example, operators of local service request clarification in Section 4, subsection (b)(4) regarding the Connected Network Plan so it is clearly defined that the provisions apply to regional and not local service. Identifying travel times and service standards for local service that happens to serve a regional hub would be an immense and costly task. Local service is and should be responsive to the local community needs and not set to a regional standard. The same can be said for feeder/connector service since there are few routes in the region with this sole purpose and therefore, these routes are difficult to include in a regional network without impacting the needs of local riders. Otherwise, while there may be other concerns that come up as the bill continues moving forward, operators understand that there will be continued opportunities for collaborative and productive discussions.

Once again, thank you for your leadership. We appreciate the open and collaborative stance that you and your team have taken with operators. Please contact Alex Walker, BART Government & Community Relations, at 510-299-6514 or alex.walker@bart.gov with any questions or to request additional information.

Sincerely,



Michael Hursh  
General Manager,  
Alameda-Contra Costa  
Transit District (AC Transit)



Robert Powers  
General Manager,  
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Transit District (BART)



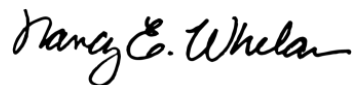
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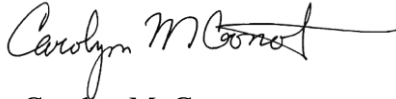
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Steve Adams  
Transit Manager,  
City of Union City



Carolyn M. Gonot  
General Manager/CEO,  
Santa Clara Valley Transportation  
Authority (VTA)

cc: Hon. Lena A. Gonzalez, Chair, Senate Committee on Transportation  
Members, Senate Committee on Transportation  
Members, California State Bay Area Caucus