

ATTACHMENT A

BILL: AB 1908

AUTHOR: ASSEMBLY MEMBER MATTHEW HARPER
(R-HUNTINGTON BEACH)

SUBJECT: HIGH OCCUPANCY VEHICLE LANES

STATUS: REFERRED TO ASSEMBLY TRANSPORTATION COMMITTEE

ACTION: OPPOSE

RECOMMENDATION

Staff recommends that the Board adopt an OPPOSE position on AB 1908 (Harper).

ISSUE

Assembly Member Matthew Harper has introduced AB 1908 a bill that would establish regulations for High Occupancy Vehicle (HOV) Lanes in Southern California.

AB 1908 would:

- Prohibit HOV lanes from being established on a state highway in Southern California unless it is only enforced as HOV-only during peak commuter traffic.
- Require any existing HOV lane in southern California to be modified to conform with the new requirements. This would require re-stripping of all existing HOV lanes, installation of new signage and enforcement to be reduced to peak hours only.
- Require Caltrans to report to the Legislature on impacts of the new HOV provisions and would authorize the department to re-instate HOV lanes to 24-hour enforcement after May 1, 2018.

DISCUSSION

AB 1908 is similar to previous legislation that has attempted to address the difference between the operating characteristics of High Occupancy Vehicle (HOV) Lanes in northern and southern California. This bill would prohibit future lanes in southern California (yet to be defined in the bill) unless they were established as HOV lanes in the peak periods only. The bill would further require that all existing HOV lanes in southern California be converted to peak period HOV lanes.

While there are operational differences between HOV lanes in northern and southern California, there does not appear to be any evidence that modifying the lanes in this manner would in any way relieve congestion in our region. Additionally, a 2014 Caltrans study found that a significant number of HOV lanes in Los Angeles County have

experienced degraded levels of performance. There are a variety of factors for that degradation and changing the lanes to peak period only may not provide a solution to the problems that are causing the general purpose lanes to be congested. In addition, the bill could potentially force Metro to convert the ExpressLanes operation to peak period only severely jeopardizing an effective congestion management tool.

Staff suggests that the while it is clear that congestion is a problem in our region and that the degradation of the HOV lanes is a part of that problem, it would be more appropriate to address this problem by working with our regional partners and identifying the specific causes of that congestion in the HOV lanes and taking whatever steps may be appropriate. Caltrans is currently authorized to take steps to address this issue but we would suggest that it would also be appropriate for the state to address the serious funding challenges to our highway system as well.

Due to the potential impacts to our Metro ExpressLanes program and other impacts to overall congestion in HOV Lanes and general purpose lanes in the County that are not addressed by this proposed legislation, staff is recommending that the Board of Directors adopt an OPPOSE position on this measure.

DETERMINATION OF SAFETY IMPACT

Staff has determined that there is no direct impact to safety as a result of this proposal. Metro staff recommends that a full analysis by Caltrans be conducted to determine potential impacts to the HOV lane network, countywide.

FINANCIAL IMPACT

Staff has determined that there could be a potential negative financial impact to the agency as the result of the provisions outlined in this bill. The Metro ExpressLanes program could be adversely affected due to the proposed new regulations regarding enforcement and re-striping. Staff will need to conduct additional research to determine overall costs associated with reduced operation, re-striping and updated highway signage. There could be a potential loss of toll revenues associated with operating existing ExpressLanes and establishing new ExpressLanes in HOV lanes that are enforced only during peak hours.

ALTERNATIVES CONSIDERED

Metro could consider adopting a support or neutral position on this legislation; however, this would be inconsistent with our Board-approved 2016 State Legislative program. The Board has adopted a position that has directed staff to vigorously oppose any legislation that could harm or negatively impact Metro's ability to operate and expand the ExpressLanes program.

NEXT STEPS

Should the Board decide to adopt an OPPOSE position on AB 1908, staff will communicate the Board's position to the author and to pursue potential amendments to

the legislation. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.