

ATTACHMENT D

BILL: ASSEMBLY BILL 673

AUTHOR: ASSEMBLYMEMBER KANSEN CHU (D-SAN JOSE)

SUBJECT: PUBLIC TRANSIT OPERATORS: VEHICLE SAFETY REQUIREMENTS

STATUS: REFERRED TO COMMITTEE ON TRANSPORTATION

ACTION: ~~OPPOSE UNLESS AMENDED~~ NEUTRAL

RECOMMENDATION

Staff recommends that the Board of Directors adopt an ~~OPPOSE UNLESS AMENDED~~ a NEUTRAL position on Assembly Bill 673 (Chu).

ISSUE

Assemblymember Kansen Chu introduced AB 673, which would make substantial changes to provisions related to equipment vehicle standards for public transit operators.

Specifically the bill would:

- Require a public transit operator, before placing a new bus into revenue operations, to take into consideration recommendations of, and best practices standards developed by, the exclusive representative of the recognized organization representing bus operators of the transit operator for the purpose of protecting bus operators from the risk of assault from persons and by removing blind spots; and
- Require a public transit operator, before placing a new bus into revenue operations, to ensure that the bus is equipped, at a minimum, with specified features, including, among others, transparent, glare-free, accessible partition enclosures around the bus operator seating area capable of withstanding gun fire, a door or window to the left of the bus operator seating area that allows for safe and rapid emergency egress from the vehicle, and mirrors and pillars that allow the bus operator to adequately view pedestrians crossing in front of the bus, as specified.
- Require these standards to be implemented only to the extent that they comply with the Federal Motor Vehicle Safety Standards. By creating a new crime and imposing new duties or public transit operators; and
- Impose a state-mandated local program without provisions for reimbursement for public transit operators.

DISCUSSION

Staff recommends that the Board adopt ~~an oppose unless amended~~ a neutral position on the measure, AB 673 (Chu). As introduced, the bill would require LA Metro, along with other public transit agencies to adhere to strict regulations related to vehicle equipment and barrier installation before placing buses into revenue service. Metro's Operations Department is retrofitting buses that are currently in the fleet and installing barrier equipment for operator safety on new buses that addresses the concerns related to bus operator safety.

AB 673 (Chu), in its current form, makes certain assumptions and requirements related to vehicle procurements for public transit operators. The bill would require Metro and other transit operators to confer with bus operators labor unions to take into consideration best practices and recommendations for improving bus operator safety. The bill would also require public transit operators to ensure that all buses are equipped at the minimum with all of the following:

- (1) Transparent, glare-free, accessible partition enclosures around the bus operator seating area capable of withstanding gun fire.
- (2) A door or window, at least the same size as a passenger emergency window, to the left of the bus operator seating area that allows for safe and rapid emergency egress from the vehicle.
- (3) A mechanism that allows for direct connection to local law enforcement, such as a panic button.
- (4) Low-mounted, reasonably sized left-side mirrors that allow the bus operator, regardless of size, to adequately view pedestrians crossing in front of the bus.
- (5) Reasonably sized "A" pillars that allow the bus operator, regardless of size, to adequately view pedestrians crossing in front of the bus.
- (6) An overall bus operator seating area that eliminates blind spots to the greatest extent feasible.

Pursuant to the 2017 Board adopted State Legislative Program, staff is supportive of the intent of this legislation, which is to reduce assaults on operators. Staff recommends that the following amendments be sought:

- (1) Remove provisions of the bill related to adding "Section 24019 of the Vehicle Code" which makes specifications (as outlined above) related to bus procurements, vehicle equipment and barriers for public agencies.

With the proposed amendments, the bill would then only require Metro to consult with representatives of the bus operators to ensure that bus safety standards are prioritized in future bus procurements.

Staff recommends that the Board adopt an ~~OPPOSE UNLESS AMENDED~~ NEUTRAL position on the measure AB 673 (Chu).

DETERMINATION OF SAFETY IMPACT

There is no determined safety impact due to the enactment of the proposed legislation.

FINANCIAL IMPACT

The estimated financial impact has yet to be determined. This bill would likely increase potential costs to the agency related to vehicle procurement and vehicle equipment procurement, while increasing the risk for litigation.

ALTERNATIVES CONSIDERED

Staff has considered adopting either a support or neutral position on the bill. Adopting a support position on the bill would be counter to the advocacy efforts of the California Transit Association, which represents public transit agencies statewide.

NEXT STEPS

Should the Board decide to adopt an ~~OPPOSE UNLESS AMENDED~~ a NEUTRAL position on this measure; staff will communicate the Board's position to the author and work to ensure inclusion of the Board approved amendments in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.