

SENATE BILL**No. 1098**

Introduced by Senator Blakespear
(Coauthors: Senators Allen, Limón, Newman, and Umberg)
(Coauthors: Assembly Members Davies, Dixon, and Hart)

February 13, 2024

An act to add Sections 14072.8 and 14072.10 to, and to add and repeal Section 14072.6 of, the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1098, as introduced, Blakespear. Passenger and freight rail: LOSSAN Rail Corridor.

Existing law establishes the Department of Transportation in the Transportation Agency under the control of an executive officer known as the Director of Transportation. Existing law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Existing law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor.

This bill would require the Secretary of Transportation to provide strategic guidance, recommendations, and facilitate all necessary coordination, collaboration, and intervention when necessary between stakeholders, to ensure the performance of the LOSSAN Rail Corridor, as specified.

This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information, including certain recommendations made by the department and the California Transportation Commission, in consultation with the Secretary for Environmental Protection. The bill would also require the Secretary of Transportation to submit a report to the Legislature on or before January 1, 2027, and biennially thereafter, on the management of the LOSSAN Rail Corridor, as provided.

This bill would require the metropolitan planning organizations for the counties located within the LOSSAN Rail Corridor to jointly submit to the Legislature a report on or before January 1, 2026, that provides recommendations on various topics relating to rail service in the corridor. By adding to the duties of local agencies, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the LOSSAN Rail Corridor.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14072.6 is added to the Government
- 2 Code, to read:
- 3 14072.6. (a) (1) The secretary, in consultation with the
- 4 director, shall submit a report to the Legislature on or before
- 5 January 1, 2026, regarding the LOSSAN Rail Corridor that includes
- 6 all of the following information:
- 7 (A) Prioritized capacity improvement projects in the corridor
- 8 necessary to improve current services and accommodate future
- 9 passenger and freight service growth.

1 (B) Prioritized resiliency improvement projects in the corridor
2 necessary to ensure the safe and continued movement of trains.

3 (C) A description of administrative actions taken by the
4 Transportation Agency using authority in existence before January
5 1, 2025, to improve the management of the corridor.

6 (D) Recommendations received pursuant to paragraph (2).

7 (2) The department and commission, in consultation with the
8 Secretary for Environmental Protection, shall submit
9 recommendations to the secretary for inclusion in the report
10 required pursuant to this subdivision regarding updates or changes
11 to state agencies, policies, planning documents, programs,
12 including the state transportation improvement program and the
13 interregional transportation improvement program, and guidelines,
14 needed to support the LOSSAN Rail Corridor. These
15 recommendations shall include a review of how state rail planning
16 documents are implemented, managed, and enforced.

17 (3) In preparing the report pursuant to this subdivision, the
18 secretary and director shall consult existing plans and studies for
19 the LOSSAN Rail Corridor, including, but not limited to, the
20 LOSSAN Rail Corridor Optimization Study adopted by the
21 LOSSAN Rail Corridor Agency.

22 (b) (1) The metropolitan planning organizations for the Counties
23 of Los Angeles, Orange, San Diego, San Luis Obispo, and Santa
24 Barbara shall jointly submit a report to the Legislature on or before
25 January 1, 2026, that provides recommendations on all of the
26 following as necessary to ensure the long-term viability of
27 comprehensive and coordinated passenger and freight rail services
28 in the LOSSAN Rail Corridor:

29 (A) Dedicated and formula funding distributions for passenger
30 rail operations, including intercity and regional rail services along
31 the corridor.

32 (B) Strategies to increase rail service coordination and reduce
33 disruptions or delays, including, but not limited to, those caused
34 by climate resiliency, track closures, state of good repair,
35 equipment, and staffing.

36 (C) Changes to local or regional governance, management
37 structures, and consolidation for intercity and regional rail services.

38 (D) Changes to state statutes or policies relating to intercity and
39 regional rail services.

1 (E) Changes to enabling state legislation, policies, rules, or
2 funding.

3 (F) Opportunities for rail to accelerate and support equity, safety,
4 sustainability, zero-emissions, equipment, and economic
5 development goals.

6 (G) Opportunities for these metropolitan planning organizations
7 to analyze, describe, and report progress in operating, maintaining,
8 and improving the corridor consistent with state and local planning
9 documents in their sustainable communities strategies or, if
10 applicable, alternative planning strategies, adopted pursuant to
11 Section 65080.

12 (H) Opportunities for these metropolitan planning organizations
13 to adopt multiregional goals relating to passenger and freight rail
14 service, capital improvement projects related to those services,
15 and resiliency of those services along the corridor to include in
16 their respective sustainable communities strategies or, if applicable,
17 alternative planning strategies, adopted pursuant to Section 65080.

18 (2) The report required pursuant to this subdivision shall include
19 meaningful public engagement led by the metropolitan planning
20 organizations and be developed with the support of a steering
21 committee composed of representatives of business, community,
22 transportation, environmental, labor, and civic organizations. The
23 report shall be adopted by the governing boards of each
24 metropolitan planning organization before submission to the
25 Legislature.

26 (c) (1) The reports to be submitted pursuant to this section shall
27 be submitted in compliance with Section 9795.

28 (2) Pursuant to Section 10231.5, this section is repealed on
29 January 1, 2030.

30 SEC. 2. Section 14072.8 is added to the Government Code, to
31 read:

32 14072.8. (a) Notwithstanding Section 10231.5, the secretary
33 shall submit a report to the Legislature on or before January 1,
34 2027, and every two years thereafter, on the management of the
35 LOSSAN Rail Corridor that includes all of the following
36 information:

37 (1) Performance, ridership, usage, and quality of intercity,
38 regional rail, and freight services.

39 (2) Updates to capital improvement planning.

1 (3) Progress in delivering fleet and infrastructure improvement
2 projects.

3 (4) Improvements to service and fare coordination.

4 (5) Opportunities to increase the quality and frequency of
5 services.

6 (b) A report to be submitted pursuant to subdivision (a) shall
7 be submitted in compliance with Section 9795.

8 SEC. 3. Section 14072.10 is added to the Government Code,
9 to read:

10 14072.10. (a) The secretary shall provide strategic guidance,
11 recommendations, and facilitate all necessary coordination,
12 collaboration, and intervention when necessary between
13 stakeholders, to ensure the performance of the LOSSAN Rail
14 Corridor.

15 (b) The responsibilities set forth in subdivision (a) shall include
16 oversight and development of plans, as needed, for any of the
17 following:

18 (1) Service frequencies.

19 (2) Equipment and fleet management.

20 (3) Infrastructure improvement and state-of-good repair projects.

21 (4) Resiliency of the corridor.

22 SEC. 4. The Legislature finds and declares that a special statute
23 is necessary and that a general statute cannot be made applicable
24 within the meaning of Section 16 of Article IV of the California
25 Constitution because of the unique need to address the resiliency
26 and performance of the LOSSAN Rail Corridor.

27 SEC. 5. If the Commission on State Mandates determines that
28 this act contains costs mandated by the state, reimbursement to
29 local agencies and school districts for those costs shall be made
30 pursuant to Part 7 (commencing with Section 17500) of Division
31 4 of Title 2 of the Government Code.

O