

POLICY ADVISORY COMMITTEE

CONSENT ITEMS

AGENDA ITEMS II. A-N



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POLICY ADVISORY COMMITTEE EXECUTIVE MINUTES

Date: Friday, March 16, 2007
Time: 10:00 a.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Attending:

Shun Patlan, City of Parlier
Gabriel Gonzalez, City of Mendota
John Holt, City of Clovis
Dan Spears, City of Sanger
Alan Bengyel, City of Huron

Jose Ramirez, City of Firebaugh
Lynn Gorman, Fresno County
Brian Nakamura, City of Reedley
Ron Manfredi, City of Kerman
Ken Okereke, Caltrans, District 06

Others Attending:

Barbara Goodwin, Fresno COG
Jeffrey D. Webster, Fresno County
Rural Transit Agency
Rick Jeffery, Web Starr
Dennis Manning, Fresno Area
Residents for Rail Consolidation
Gary Malazian, Citizen
Ron Peterson, Fresno County
Transportation Authority

Jason Paukovits, Fresno COG
Todd Sobrado, Fresno COG
Marla Day, Fresno COG
Stephanie Maxwell, Fresno COG
Kristine Cai, Fresno COG
Kathy Chung, Fresno COG
Renee DeVere, Fresno COG
Brenda Lauchner, Fresno COG

The meeting was called to order by Jose Antonio Ramirez (Firebaugh), Chair.

I. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons wishing to address the PAC on items within its jurisdiction but not on this agenda.

There were no public presentations.

Request for Urgency Item: requires 2/3 majority vote declaring urgency and 2/3 vote to add the item to the agenda. A request was made by Fresno COG staff to add Fresno COG Proposed Regional Transportation Improvement Program Submittal – 2006 State Transportation Improvement Program Augmentation, Resolution 2007-10. A motion was made by Ron Manfredi (Kerman) and seconded by Alan Bengyel (Huron) to both declare the item an urgency item and to add it to the agenda as Item III I. A vote was called for and the motion passed unanimously.

II. CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

- | | |
|--|-------------|
| A. Executive Minutes of February 16, 2007 | Approve |
| B. FY 2006-07 Second Quarter Progress Report | Accept |
| C. Administrative Amendment No. 6 to the 2007 Federal Transportation Improvement Program | Information |
| D. Monthly Legislative Update | Information |

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

- | | |
|---|-------------|
| E. Status Report on Sacramento Lobbying Activities—Steve Samuelian, California Consulting, Inc. at Board Meeting on 3-29-07 | Information |
| F. Regional Clearinghouse | Information |
| 1. USDA Rural Development Community Facilities Grant– Public safety Equipment for police – CITY OF HURON | |
| 2. Federal Aviation Administration Airport Improvement Program CITY OF FRESNO | |
| 3. USDA Rural Utility Program Wastewater Treatment Expansion Program – CARUTHERS COMMUNITY SERVICES DISTRICT | |
| 4. USDA Rural Development Community Facilities Grant WESTSIDE ELEMENTARY SCHOOL DISTRICT | |
| G. Abandoned Vehicle Abatement-FY 2006-07 Second Quarter Status Report | Accept |
| H. 2005-06 COG Financial Audit | Accept |
| I. FCRTA Item: 2005-06 FCRTA Financial Audit | Accept |

For a complete summary of these items please see the February 16, 2007 Annotated Agenda.

A motion was made by Alan Bengyel (Huron) and seconded by Ron Manfredi (Kerman) to approve the Consent Items as presented. A vote was called for and the motion was carried

III. ACTION / DISCUSSION ITEMS

A. 2007 Sacramento “One Voice” Update

Barbara Goodwin (COG) reported on Fresno COG’s 2007 “One Voice” trip to Sacramento March 12th – 14th. The group lobbied for the five regional priority projects that were enclosed in the package. Ms. Goodwin stated that the meetings were very informative. The group met with the Governor and he gave the group a “pep talk” saying that the letters and phone calls from the Valley are paid attention to. A summary report will be provided to the Board. Ms. Goodwin also mentioned 16 bills have been introduced relating to Proposition 1B. Staff will research these bills and give the Committees an update at the April meetings. Ms. Goodwin reminded the group that this was a very important trip and there were lots of very informative, worthwhile meetings. Ms. Goodwin urged the members to try to attend future trips.

This was an information/discussion item and required no further action from the Committee.

B. Measure “C” Update

Barbara Goodwin (COG) provided an update on Measure “C” implementation progress. Ms. Goodwin reported that the first subcommittee meeting was on March 19th on “New Technology Reserve”. Meetings are being scheduled. Staff will be consulting with agency staff and other specific stakeholders that helped craft the Expenditure Plan that was approved by the voters. The result will be an implementation plan that can ensure that the promises made to voters are fulfilled. Ron Manfredi (Kerman) stated that he believed that this is a wise approach.

This was an information/discussion item and required no further action from the Committee.

C. Report on February California Transportation Commission (CTC) Actions

At its February 22nd meeting, the COG Policy Board heard two urgency items addressing pending February 28th CTC decisions related to the two items listed below.

- Caltrans State Route 99 Bond Project List
- Corridor Mobility Improvement Account

The COG Board sent letters to the Commission in support of Fresno projects proposed for the two programs. Copies of the COG Board's letters were enclosed in your packet. CTC did not take action at its February 28th meeting in Irvine on the 99 project list but will take action at its March 15th meeting. For the CMIA, our projects were not funded.

Copies of the List of Initial Program of Projects was handed out to the Committee along with a press release from Caltrans regarding the 2 p.m. Press Conference by Will Kempton on State Route 99 Benefits from Proposition 1B.

This was an information/discussion item and required no further action from the Committee.

D. Blueprint Update

Brenda Lauchner reported on this item. At its last committee meeting, the Blueprint Roundtable discussed several planning issues related to the project and will be continuing the discussion on drafting a formal Vision statement. The group also approved an outreach strategy that is intended to reach additional county residents as we move forward with the planning process and in anticipation of the more technical modeling activities that will commence this summer. Attention was called to an enclosure summarizing outreach activities. Please contact Ms. Lauchner if you have comments/suggestions regarding the outreach activities. Ms. Lauchner also mentioned that KVPT will be providing COG will copies of its recent production of "San Joaquin Valley – Quality of Life". Please contact Ms. Lauchner if you would like a copy.

This was an information/discussion item and required no further action from the Committee.

E. Partnership Seed Grant – Finalists

Last month COG staff reported on several concepts that had been submitted to the California Partnership for the San Joaquin Valley requesting seed grants. Two of those concepts have been invited to submit a full proposal for funding. Details on the proposals were included in the agenda package.

1. Metro-Rural Loop Feasibility Study – Mr. Berthgold (Fresno) made a brief presentation. This study responds to the necessary and urgent work of preserving the wide multi-modal transportation corridors needed to serve the millions who will reside and work in 17 cities over the next 100 years. It also has relevance to the scenario planning aspects of our Blueprint planning process. This multi-modal, multi-city and multi-county transportation corridor system proposes as its goal the direct and efficient linking of development in 14 incorporated cities in the Fresno and Madera Counties. Its further goal is to develop significant, sustainable, effective and attractive Smart Growth oriented regional metropolitan areas for the future of California.

A motion was made by Ron Manfredi (Kerman) and seconded by Lynn Gorman (Fresno County) to recommend approval of the Metro-Rural Loop Feasibility Study. A vote was called for and the motion carried.

Todd Sobrodo briefly commented on the following proposal.

2. Farmland Conservation Model Program - The goal of the Farmland Conservation Model Program is to develop a plan, strategy, and program to conserve prime agricultural lands in the Central Valley. The Program will build upon initial activities to identify farmlands of strategic importance, and to develop a program to protect farmlands that is consistent with long term planning goals that maintain agriculture as a key economic and cultural force in the region. The COG Policy Board took an action to support the Farmland Conservation Model Program grant application at its February 22, 2007 meeting.

This was an information/discussion item and required no further action from the Committee.

F. Obligational Authority FY2006-07

Renee DeVere (COG) reported on this item and called attention to the "Local Assistance Obligation Plan" that was handed out. Under Assembly Bill AB 1012, enacted in October 1999, agencies are required to obligate federal funds within three years of receiving their apportionments. To obligate is to acquire the necessary authorization for spending federal funds (e76). Regional agencies are required to submit a plan to Caltrans to obligate any apportionment balances older than two years and to ensure that none of the apportionment balances reach three years of age. To accomplish this, Metropolitan Planning Organizations must submit an Obligation Plan to Caltrans for the determination of obligational authority needs for the remainder of the federal fiscal year. Fresno COG staff has prepared this plan in coordination with our member agencies.

We began the federal fiscal year with a \$28 million apportionment balance. \$15.5 million in new apportionment was added to this amount in 2007. To insure that we do not lose any funds from previous years (funds between 2 and 3 years old) we must obligate a minimum of \$9 million.

However, we can obligate up to \$15.5+ million, the apportionment level for this year. To ensure that we reach our obligational target, staff has developed an Obligation Plan. This plan outlines for Caltrans what projects will be submitted to them during the remainder of the 2006/07 federal fiscal year. All projects to be delivered in 2006/07 must be submitted to Caltrans by July 2, 2007.

This was an information/discussion item and required no further action from the Committee.

G. COG Workshop Goals

Barbara Goodwin (COG) reported that last year the COG Policy Board engaged in a community workshop to review and discuss COG's mission and goals. Subsequent meetings were held to discuss the Vision, Mission and Goals that had been identified. An excerpt from the workshop was included in your packet for your formal endorsement of the COG Vision, Mission and Goals.

A motion was made by Ron Menfredi (Kerman) and seconded by Alan Bengyel (Huron) to recommend that the COG Policy Board adopt the Vision, Mission and Goals that have been identified as a result of its Board workshop and subsequent discussions. A vote was called for and the motion carried.

H. Caltrans Monthly Report

1. SAFETEA-LU Update—California Transportation Plan (CTP) 2025

Ken Okeereke (Caltrans) provided an update on Caltrans activities including an update on the SAFETEA-LU, California Transportation Plan (CTP) 2025. There will be a workshop on April 10th for input into the process for finalization in July.

This was an information/discussion item and required no further action from the Committee.

URGENCY ITEM

I. Fresno COG Proposed Regional Transportation Improvement Program (RTIP) Submittal – 2006 State Transportation Improvement Program (STIP) Augmentation, Resolution 2007-10

Barbara Goodwin (COG) reported on this item. Currently the 2006 STIP for the Fresno County region identifies \$60.555 million in FY 2009/10 funding for construction of SR 180 (Clovis Ave. to Temperance Ave.). However, the California Transportation Commission (CTC) and Caltrans staff are well aware this project is ready to advertise for construction today. Therefore, Fresno COG is proposing to advance the programming of those funds, consistent with 2006 STIP Augmentation Guidelines, to FY 2007/08. In addition, Fresno COG has an additional project, SR 180 East (Temperance Ave. to Academy Ave.) that will be ready to advertise for construction in Fall 2008 very shortly after the 2008 STIP adoption. With this in mind, consistent with CTC and

Caltrans guidance that emphasizes project delivery and advancement of projects whenever possible, Fresno COG and the Fresno County Transportation Authority are requesting \$56.5 million in FY 2008/09 funding for construction of SR 180 East (Temperance Ave. to Academy Ave.). The programming amounts identified represent Caltrans' latest cost estimates as of March, 2007. The following chart reflects Fresno COG's 2006 RTIP submittal for 2006 STIP Augmentation Funds and was developed in conjunction with Fresno County Transportation Authority and Caltrans District 6 staff. Again, these are the fiscal years when the projects can be delivered.

Project/Program	FY 06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11
SR 180 East – Clovis Ave. to Temperance Ave.	\$5,700,000	\$60,555,000			
SR 168 – Fowler Ave Relinquishment	\$1,545,000				
SR 180 East-Temperance Ave. to Frankwood Ave.	\$1,000,000				
SR 180 East-Temperance Ave. to Academy Ave.			\$56,500,000		
Planning Programming & Monitoring	\$115,000	\$115,000 \$135,000-FY 03-04 AB 3090 Advanced Funding Payback	\$216,000	\$216,000	\$216,000

The proposed strategy offers a number of advantages including:

- Leverages the state's already substantial investment in the project (\$20 million in Transportation Congestion Relief Program (TCRP) funds are already committed to the Clovis to Temperance project);
- Leverages the \$5 million in local Measure "C" funds that have already been committed to the two SR 180 projects;
- Delivers two projects that were originally programmed for construction in the 2004 STIP;
- Timely delivery of the shelf-ready projects will result in significant savings due to cost escalation factors;
- Positions the Fresno region to take advantage of any new funding opportunities that may result from the proposed infrastructure bonds being discussed;

SR 180 East-Sequoia Freeway (Clovis Ave. to Temperance Ave.)

This shelf ready project is ready to advertise for construction. The project proposes to extend a new multi-lane freeway on State Route 180 in Fresno from Clovis Avenue to Temperance Avenue. It will consist of a six-lane freeway from Clovis Ave. to Fowler Ave. with an interchange at Fowler Ave. The route continues as a four lane freeway from Fowler Ave. to 1.3 km east of Temperance Avenue, with an interchange at Temperance Ave. The project will also provide over-crossing structures at Belmont and Armstrong Avenues. This project will complete the urban freeway portion of State Route 180 east of State Route 99 in the city of Fresno.

SR 180 East-Kings Canyon Expressway (Temperance Ave. to Academy)
Projected Funding Need:

This project will be ready to advertise for construction within the next 18 months. The six-mile project consists of a four-lane expressway on six-lane right-of-way. It provides all of the benefits as identified above, and represents the next easterly segment of the long planned State Route 180 regional transportation corridor.

SR 180 East (Temperance to Frankwood)

These funds are to be used to complete required environmental mitigation work for the SR 180 Expressway corridor (Temperance to Frankwood)

Planning, Programming & Monitoring (PPM):

PPM Funding amounts have been established to conform to the 2006 STIP Augmentation Fund Estimate. Fresno COG has elected not to augment the PPM at this time as we feel that the funding originally identified in the 2006 STIP for PPM will suffice for the remainder of the STIP period and the funds are better used for the capital projects. The FY 07-08 amount identified in the 2006 STIP includes the \$135,000 AB 3090 Reimbursement approved by the Commission for the FY 03-04 PPM.

A motion was made by Ron Manfredi (Kerman) and seconded by Alan Bengyel (Huron) to recommend approval of the RTIP Submittal – 2006 STIP Augmentation by adoption of Resolution 2007-10. This action would comply with the April 1 submittal date set for the submission. A vote was called for and the motion carried.

IV. OTHER BUSINESS

A. Items from Staff

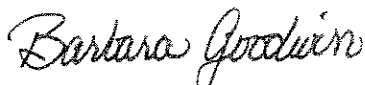
Barbara Goodwin (COG) called attention to the proclamation (displayed in the back of the room) that will be delivered to the Governor by Mayor Lopez of Orange Cove. This is in response to the Governor's actions during the January Freeze. Ms. Goodwin also asked that the City Managers remind their COG Board members that their Form 700 is due by April 2.

B. Items from Members

Ron Manfredi (Kerman) commented briefly on the March 13th Board of Supervisors meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,



BARBARA GOODWIN, Executive Director
Council of Fresno County Governments

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Personal Automated Transportation:

Status and Potential of Personal Rapid Transit

Executive Summary

January 2003

by the Advanced Transit Association

Bob Dunning, committee chair
Ian Ford, report editor

Committee Members

Rob Bernstein
Catie Burke
Dennis Cannon
George Haikalis
Jerry Kieffer
Dennis Manning
David Maymudes
Jeral Poskey

Joe Shapiro
Markus Szillat
Göran Tegnér
Ron Thorstad
David Ward
Michael Weidler
William Wilde

NOTE: This report is published in a group of documents. This is the summary only. The complete report is detailed on the web site: <http://www.advancedtransit.org/pub/2002/prt/>. Technology developers provided all illustrations in this section of the report.

Contents

<u>History and Potential</u>	3
<u>Rationale and Discussion</u>	4
<u>The Struggling Transit System</u>	4
<u>Trends in Public Transit</u>	5
<u>Personal Rapid Transit – The Better Option</u>	7
<u>Recommendations</u>	7
<u>Other Information Found in the Complete Report</u>	8
<u>Development Status</u>	9
<u>Purpose and Process</u>	9
<u>Basic description, geometry, and developmental status</u>	9
<u>Other evaluation points</u>	20
<u>Developer Contact Information</u>	24

History and Potential

Personal Rapid Transit (PRT) is defined as direct origin-to-destination service with no stops, using small fully automatic vehicles on a dedicated guideway. It promises a low cost way to provide service that is widely dispersed throughout a region.

In 1989, after a one-year study, an ATRA technical committee prepared the report: "Personal Rapid Transit (PRT)—Another Option for urban Transit?" Dissemination of the report helped enliven discussion during the 1990's of new transit modes for meeting the stubborn challenge of growing traffic congestion in the world's metropolitan areas. Since 1989, these critical unmet needs and problems have gotten much worse. Therefore, PRT developers have continued their efforts to promote marketable PRT concepts, and many millions of dollars have been spent on development. Considering PRT's potential, ATRA made the decision to produce this report to help encourage better understanding of PRT for meeting the needs of communities for better, more affordable, and more widely diffused transit service, and to analyze why existing mass transit options cannot make a dent in these problems.

Based on knowledge of the technical and social issues, the majority of the report team feels that PRT is technically viable and will deliver on its promises once implemented. The main obstacles seem to be in the marketing, rather than technical, realm. Therefore the report is intended, through the use of objective information, to help bridge the parties involved in advocating for, planning for, investing in, and developing PRT systems, so that they can work together towards the larger goal of making PRT a reality.

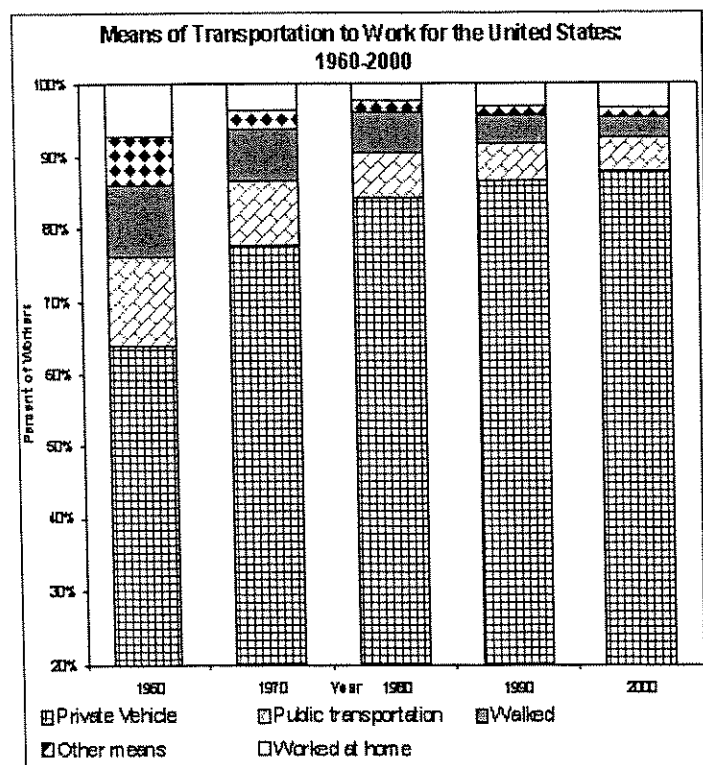
The team also has serious reservations about some of the systems presented. This report is not just a marketing effort to help "sell" PRT, but a critical look at the claims made by system vendors, and where they stand in their development process. The report is a non-profit activity and is not supported by any system vendors.

Rationale and Discussion

The Struggling Transit System

Public Transit

Public transit serves people effectively and is an important part of our transportation system, especially for those who do not drive. Transit serves a few percent of the total transit trips, as shown in the following chart. Although transit ridership has gone up somewhat in the last decade, transit's share of the total has not increased. This is because total travel per capita has increased, and almost all of that increase has been auto travel. The share of trips made by transit has decreased steadily since 1960.¹



¹ U.S. DOT, Census Transportation Planning Package (CTPP), <http://www.fhwa.dot.gov/ctpp/>

Public transit has not seen a comeback, *despite ever-increasing public subsidies*. If cost-effectiveness were an issue, public transit would have ceased operating long ago.

Automobile-based Transit

The other option for transit services within our cities is failing. The most popular transit mode – the private automobile – has severe deficiencies. Its main drawbacks are cost, environmental damage, poor safety, and time wasted in traffic congestion.

On the positive side, when everything goes well and traffic is light, the automobile is the model of transit service that transit riders most desire. It leaves when people want to leave. It starts from where people are located. It goes where people want to go, often without interruptions, transfers, or significant delays. The automobile can be extremely convenient for those who are able to own and drive a car. *Any public transit system that can not provide a comparable level of service to that provided by the automobile will not succeed by any reasonable measure.*

Mobility and Disenfranchisement

Over time, the physical streets, parking lots, and buildings of our cities have been designed to support auto access rather than pedestrian access. We do not approve of this, but it has become a fact of life. For those without easy access to the automobile, the roads and parking lots devoted to the auto become barriers to their participation in our society.

Although it is often believed that most people have access to a car, in fact many people do not: the poor, disabled, elderly, children and students.

Increasingly the benefits of car ownership are critical to material well being. Buildings, parking lots, freeways, and busy streets all fragment our cities and neighborhoods into islands that challenge the pedestrian (and even the bicyclist). In most places, it is no longer only an option to own a car: it is a necessity. Only a car can provide the necessary access to such fundamentals as jobs, supermarkets, and schools.

The burden of helping people get to their destinations falls disproportionately on women. Children must be taken to school, soccer leagues, Camp Fire Girls, doctors and music lessons. The elderly must go shopping, visit doctors, and get to recreation and entertainment facilities. The disabled need to do all these things as well. Those without a family member or friend to help may be forced to use one of the most expensive forms of transportation, the taxi, because it is the only option available to them.

As our population ages, more and more people will be denied the right to drive either by insurance companies who will not sell to the elderly or by failing eyesight, slowed reflexes, or physical disability. Barring some attention to this problem, this will become an untenable situation within the decade as the baby boomers age and the proportion of elderly rises.

While many of the problems of the auto can be ameliorated through better engine technologies, the fundamental waste of land, road capacity, and the safety problems will remain.

Trends in Public Transit

Problems with buses

Because buses operate on roads that are already paid for by the public, their capital costs are significantly lower than the cost of trains. They can also travel anywhere a road is available making them more flexible as cities evolve. Operating costs are high because each bus must have a driver. Also, the required capacity during peak hours becomes a waste of both buses and operators during off-peak hours.

Other problems include waits, connections, and safety at bus stops. Security issues make the bus less than satisfactory for many people such as night workers, the elderly, the physically disabled, women, children, and the bus drivers themselves.

Problems with trains (Light Rail and Heavy Rail)

Commonly, subways and elevated trains are referred to as heavy rail, while rail systems on the street are referred to as light rail. There is no distinction in size between heavy rail and light rail. The distinction in the names is largely historical.

Rail systems are very costly to build in most urban areas – roughly \$300 million per mile for systems built recently. Due to their size and expense, they can only be built in corridors, instead of being distributed over the whole area of a population. The older systems are proving costly to operate, and some cities such as Chicago have had to shut down parts of their system due to high maintenance and operating costs.

It is common wisdom that it takes a big vehicle or a train to move a lot of people. But a large vehicle creates a lot of problems. It can not stop in time at lights so traffic lights must be timed. It can not stop for pedestrians so pedestrians must be kept off the tracks. It can not be deployed widely, so certain places must have populations dense enough to provide that big load of passengers for each vehicle.

Light rail, which can operate on surface streets, must contend with pedestrians and auto traffic, and this is a safety problem with light rail.

Although trains can provide adequate stress-free service for some people, trains cannot serve the vast majority of people in modern urban areas. Modern metropolitan areas have many commercial, industrial and residential centers. **With a few exceptions, the central city is no longer the dominant travel destination** as it was in the late 19th century when the first urban rail systems were built. Even in a city such as New York, where Manhattan is the major destination, roughly 73% of the people arrive in the metro area via autos and busses, and only 10% by rail transportation.²

Only the island cities of Hong Kong and Singapore are not spreading into a vast urban metropolis. The pattern of a spread urban network holds true worldwide, and this pattern prevents any rail system from serving the vast majority of people and their varying trips. Service from the central city to outlying industrial and commercial areas is poor and suburb-to-suburb (beltway) travel by train is virtually non-existent.

Summary

None of the existing transportation technologies for cities can significantly increase transit's share of total trips. Extreme policy incentives – such as free transit passes – could increase the share somewhat, but the basic fact remains that the existing transit technology does not easily take people from where they are to where they want to go at the time they want to go.

What is needed is a mode of transportation that is an improvement on the automobile – a mode which will attract people and provide better service than is currently available. We cannot return to the cities of the late 19th and early 20th centuries. We must prepare for the cities of the 21st and 22nd centuries.

² The Public Purpose, published at [http://www.publicpurpose.com/ut-nycommuter\\$.htm](http://www.publicpurpose.com/ut-nycommuter$.htm)

Personal Rapid Transit – The Better Option

PRT Defined

Various inventors and designers have provided similar but not identical definitions of PRT. The Advanced Transit Association took note of these variations and developed a definition in 1989 which is widely agreed upon today. Personal Rapid Transit has *all* of the following characteristics:

- Direct origin-to-destination service with no need to transfer or stop at intermediate stations.
- Small vehicles available for the exclusive use of an individual or small group traveling together by choice.
- Service available on demand by the user rather than on fixed schedules.
- Fully automated vehicles (no human drivers) which can be available for use 24 hours a day, 7 days a week.
- Vehicles captive to a guideway that is reserved for their exclusive use.
- Small (narrow and light) guideways are usually elevated but also can be at or near ground level or underground.
- Vehicles able to use all guideways and stations on a fully connected PRT network.

Note that these bullets define characteristics of service and safety only. PRT is technology-independent, and manufacturers are free to use any technology they choose. For instance, propulsion can be through linear induction motors, linear synchronous motors or rotary motors. Vehicles can sit atop a single beam (a monorail), sit atop multiple beams, or be suspended below a beam. They can use wheels or magnetic levitation. Thus, the terms "PRT," "maglev" and "monorail" are not mutually exclusive. "Maglev" refers to one of several different methods of propulsion and levitation, "monorail" refers to the positioning of the vehicle, and "PRT" refers to the way the vehicles are operated.

This report provides information on various forms of PRT that are being proposed by their developers. You will see how they appear and their service characteristics. There will also be an assessment of their readiness for deployment in an urban area. We do not advocate any particular approach. Our purpose is to provide information on potential systems and their characteristics.

Recommendations

For all of the reasons documented in this report the ATRA Technical Committee unanimously agrees that Personal Rapid Transit is an excellent option for improving public transportation in urban and suburban regions.

Please refer to the full report for the complete list of recommendations. Briefly, we propose that *local governments* update permitting requirements to facilitate deployment of PRT, and follow rigorous planning, modeling, and evaluation practices so that PRT systems are compared fairly with other systems on the basis of their ability to meet well-defined public goals. We call on the *US Federal government* to fund research and development of PRT, and to create a national Advisory Committee on advanced transit.

Other Information Found in the Complete Report

The report can be viewed or printed from the web site: <http://www.advancedtransit.org/pub/2002/prt/>

Main Report

- History of ATRA's study of PRT
- Rationale and discussion
- Technology details – 13 pages
- FAQ for skeptics
- Complete recommendations.

Technology Evaluation

- A detailed comparison of PRT systems in development. 98 pages.

Supplements

- PRT Ridership Analysis
- Innovative Transit Systems, Survey of Current Developments

Development Status

Purpose and Process

The purpose of this section of the report is to compare and evaluate the specific systems that are in a substantial engineering process. Evaluation criteria are developed under a set of categories. (Criteria are not listed in this summary, but only in the full report.)

Twenty-three vendors below were contacted and asked to participate in the study by answering 19 questions in writing about their systems. In addition, an open invitation was sent to two Internet listservs – transit-alternatives, and alt-transp.

The vendors were able to review the draft study and make corrections before final publication.

Basic description, geometry, and developmental status

Categorization of the systems

The systems can be conceptually grouped as follows. Contact information and web site links can be found in the full report.

Supported, simple PRT:

- Austrans
- Autran – also provides ferries for conventional cars
- Cybertran
- Megarail/Microrail – also provides ferries for conventional cars
- Mitchell
- Taxi 2000
- ULTra – also provides pallets
- Urbanaut

Suspended, simple PRT:

- Higherway – PRT and dual mode
- Pathfinder
- SwedeTrack – also provides pallets

Other:

- Frog / 2getthere – drives on roads
- MAIT – concept for handling transport modules across multiple carriers
- Ruf – dual-mode

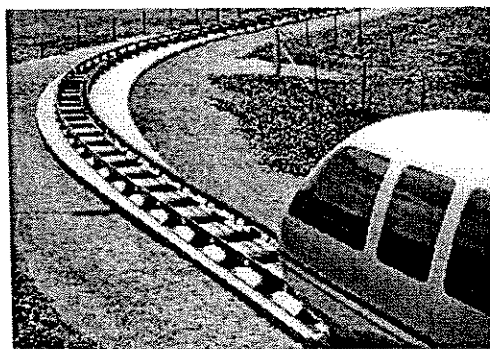
Summary evaluation of development status

This table is a snapshot of the development status of each system – details follow below.

System	Funding to date (2001 M\$US)	Development approach	Status
Austrans	5.3	established engineering firm	prototype built, engineering in progress and substantial parts completed
Autran	1.0	private inventor	preliminary design
Cybertran	5.0	US national lab	prototypes built, not final but substantial parts completed
Frog	confidential	small company	prototypes built, engineering in progress and substantial parts completed
Higherway	0.1	private inventor	preliminary design
MAIT	0.1	private inventor	simulation software written
MegaRail & MicroRail	1.0	small company	engineering in progress with limited prototype
Mitchell	2-4	private inventors	prototypes built, proof of concept and detailed engineering
Pathfinder	2.0	small company	preliminary design
Ruf	1.5	university/small company	engineering in progress; a short test track is operating with a maxi-ruf full scale mock-up
SwedeTrack	unknown	small company	preliminary design
Taxi 2000	32.6	university/small company	paper engineering including control system highly developed, but no prototype built yet
ULTra	<10.0	university/small company	prototype built, engineering in progress and substantial parts completed and tested, funding in place for passenger service
Urbanaut	"several"	private inventor	early engineering with mini-model built

Austrans

The Austrans guideway is a double steel rail, like conventional rail except it has a different cross section which allows a secondary wheel to grip the underside. The steel wheels are not flanged like conventional rail wheels, and they are angled out instead of parallel. The modifications to conventional rail make it possible to increase traction, reduce noise, and make sharper turns. Switching is functionally similar to conventional rail. The vehicle seats 9.



Status

Au\$10 (\$5.3 M US) million has been invested in Austrans R&D over an 11-year period with the bulk of that being spent since 1995.

The state of development is:

- first test track at Chullora, Sydney built and operational
- first prototype vehicle produced and currently undergoing development trials
- vehicle negotiates 8 meter radius curve as designed, brakes and accelerates as expected - about to proceed with testing ride characteristics when negotiating chicanes
- prototype switch constructed and undergoing development - operates in less than one second. Notable for lack of noise.
- station concept and specification completed
- proprietary simulation software developed

Evaluation

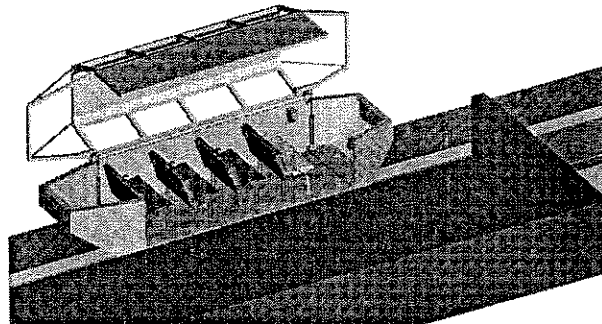
The system fell short on these evaluation points: (1) Rail surfaces are exposed to the weather and so the system may have reduced traction when ice is present. This would influence the safe following distance (which impacts capacity), and could limit grade-climbing ability. (2) Vehicle separations were not reported.

Summary: Austrans appears to be undergoing a rigorous development process, which is not yet complete. We have no reservations about its ability to perform as advertised with the information we have available.

Autran

Autran is a supported technology that resembles the simple supported systems, but also has pallet carriers for cars. The company envisions wide scale networks carrying freight containers, pallets and dual-mode cars as well as PRT/GRT cabins. The PRT vehicle seats 4. The GRT vehicle seats 8.

The guideway is a single box beam with a slot at the top. The wheel set is entirely inside the box beam.



Status

Expenses have not been determined but have been at least \$50,000. The investment of time could be valued at over \$1,000,000 if measured at rates that could have been charged to others.

Detailed engineering drawings have been made on carrier vehicles and guideways of the system, also for stations that load cars on pallets and for dual-mode cars. No full-scale prototype has been made, but models have been made to test critical aspects of the designs of vehicles.

Evaluation

The system fell short on these evaluation points: (1) The skyprint is "marginal". (2) There is only one motor in the vehicle.

Summary: Autran is in the preliminary engineering stage.

Cybertran

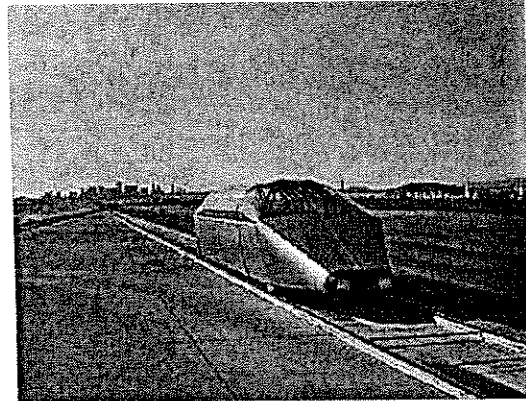
The Cybertran guideway is a double steel rail, like conventional rail. Single axle propulsion bogies allow for tight turns with low wheel/rail wear and low noise.

The vehicle types have different seating arrangements, but only one body size is proposed. Seating ranges from 6 to 20. Propulsion units are designed to utilize a variety of motors and power transmission units, depending on speed range and power requirements of application. The long 11+m length is partly due to aerodynamic cones on both ends.

Status

Approximately \$5,000,000 has been spent to date in developing and testing CyberTran. This sum includes grants and funding from the U.S. Department of Energy and the U. S. Department of Transportation, funding from private companies, equity funding from investors, personal funds expended by system developers, in-kind labor, *pro bono* evaluations, and donations of material and hardware.

Development and testing have been in progress for 12 years to date.



The first CyberTran test vehicle was built and tested at the Idaho National Engineering and Environmental Laboratory (INEEL, a U. S. Department of Energy R & D laboratory) in a year long program from September 1989 to September 1990. Testing and evaluation of the concept continued at the INEEL over the next 8 years with tests on self steering, automated control, vehicle manufacturing techniques, development of a second test vehicle, and evaluation of various guideway designs, passenger handling issues, and safety systems.

Two test vehicles have been built and tested for a variety of operational parameters. Test tracks have been built in Idaho and California for specific tests and a new test track is being planned. Five different test series have been performed with the two test vehicles.

A prototype of the elevated guideway has been fabricated and tested. Design of the prefabricated elevated guideway support column has been verified for use in high seismic zones such as the San Francisco Bay area.

The control system has been defined with computer testing and hardware simulation of the system demonstrated. System operation has been defined and computer simulation of passenger handling has been performed.

Evaluation

The suitability of Cybertran for use as PRT is restricted due to its long headways of 15 seconds and resulting low capacity. Cybertran apparently has a higher speed intercity market niche in mind, which is different than the urban lower-speed niche envisioned by ATRA. Nevertheless, it could be used as PRT. The system fell short on these evaluation points: (1) The skyprint is large. (2) Rail surfaces are exposed to the weather and so the system may have reduced traction when ice is present. This would influence the safe following distance (which impacts capacity) and could limit grade-climbing ability. (3) Vehicle separations are very large, so the system would have very low capacity in PRT service mode.

Summary: Cybertran appears to be undergoing a rigorous development process, which is not yet complete. We have no reservations about its ability to perform as advertised, with the information we have available.

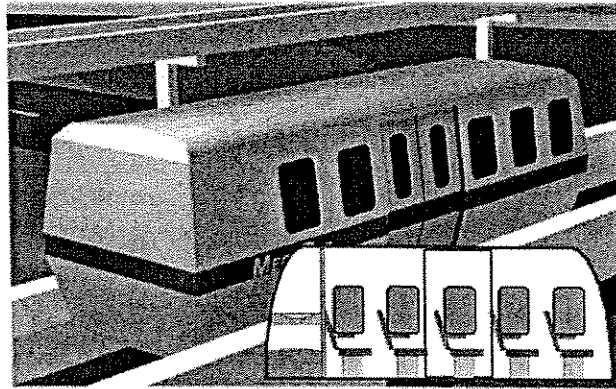
MegaRail

The MegaRail guideway consists of two steel box beams side by side. Wheels are inside the boxes, and the axle passes through slots on the sides of the beams. This configuration provides weather protection for the traction surface, communications, and power pick-up, and it prevents derailment. It also allows for a very small skyprint. The rail beams are self supporting with no superstructure. Wire mesh

spans the space between the rails for use as an emergency walkway, but this is designed to block very little light. MegaRail is a multifunction concept, offering pallet transport for cars, plus GRT and PRT service.

Status

The total value of funding and services committed to development to date has been approximately one million dollars (US). A similar level of additional development funding is planned over the next year. Low level work has been in process for several years, but the development effort was stepped up sharply in mid-2000 following award of a basic U.S. patent covering the system.



A small-scale operating car was built and successfully tested to validate the vehicle steering and switching approach. Detailed engineering drawings for the vehicle, rail and guideway have been prepared. A 1/5-scale prototype is now being built. In addition to the small-scale models, a full-size section of MicroRail guideway has been fabricated, erected, and static load tested.

MegaRail and MicroRail are covered by U.S. and Australian patents and several other international and U.S. patents are pending.

Evaluation

The system fell short on this evaluation point: There are no front windows.

Summary: MegaRail/MicroRail appear to be in a significant engineering effort, but the funding level indicates an early stage of development.

MicroRail

MicroRail is the little brother of MegaRail, and is basically the same thing, only smaller. Vehicles seat 4 passengers. The maximum speed is lower (100 kph) and is more in line with the needs of urban PRT service. Pallets are not offered, but dual-mode cars are envisioned.

See the status and evaluation information for MegaRail.

Mitchell

The Mitchell guideway consists of two parallel 0.15 m x 0.15 m steel I-beams spaced 0.91 m apart, side by side. Each beam is a running surface for the vehicle's wheels. Crossbeams are used to tie the two rails together and transfer load to the piers.

The guideway contains many small motors that physically push the vehicles along. The motors are the basis of the propulsion, braking, and control system.



The small 1-2 passenger vehicle is primarily a passive shell. Its only active component is the switching mechanism.

Status

The development of this system was started in 1967. MTS has built three one passenger sized test tracks. Each track was a 200m loop with one off-line boarding station. The first two tracks suspended the vehicle from the guideway, the latest supported the vehicle. The operational speed was 24 kph.

According to the company, "The principals have invested over \$300,000 and 42 man-years in the development of Mitchell Transit Systems." The development of this system has now covered a span of over 20 years with limited and interrupted funding.

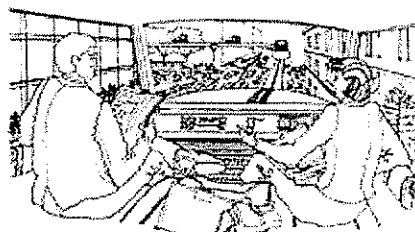
Evaluation

The system passed all evaluation points.

Summary: Mitchell claims its system is 95% complete. We are unable to validate this, although it would prove to be a very low-cost development effort. If 42-man years of labor were included, the development cost would likely be more in line with other systems. We did not understand some aspects of the design.

Taxi 2000

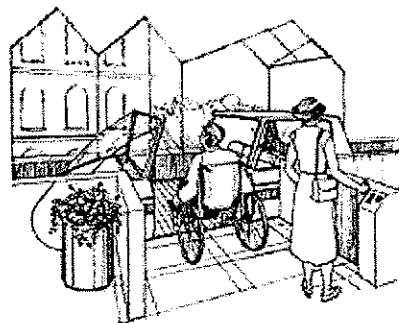
Taxi 2000 operates on top of a guideway narrower than the vehicle. The guideway is a single box beam with a slot on the top and bottom. The entire wheel set is inside the beam and the cabin is above the beam. The wheel set consists of a short front axle and a short rear axle, with four main wheels, plus several lateral guidance and switch-related wheels. The vehicle seats 3.



Status

The design of Taxi 2000 began in 1982. Over \$32 million in cash and in kind investment has gone into Taxi 2000.

The Taxi 2000 technology was licensed, altered and further funded and developed by Raytheon. This altered system was called PRT 2000. It progressed to a final working demonstration system in full scale before the project was canceled. Raytheon may also wish to sell that system, but declined to participate in this study.



Quoting the company, "All the research and development work required has been done. Designs for all subsystems have been developed. Programs have been written to study lateral and pitch motion of the vehicles, from which sizes and placement of wheels and other components have been determined. The guideway in straight and curved sections has been analyzed by computer... Preliminary drawings have been done. What remains is to hire an engineering team to update all specifications and build a test system."

"None of the components of the system are developmental - all can be procured directly. The software to operate the whole system has been developed, which we believe is unique. Taxi 2000 has won international competitions sponsored by SeaTac, WA (1992), the Chicago RTA (1993), and the Cincinnati Sky Loop Committee (1998) - see www.skyloop.org. No other PRT systems have won any competitions in which we have participated."

Recently, Taxi 2000 has raised \$500k (of \$1M sought) for the prototype construction, and component manufacturers have been lined up.

Evaluation

The system passed all evaluation points.

Taxi 2000 is by far the most funded development effort of those listed in this report. Many of the more specialized issues identified as researched and solved by Taxi 2000, such as computer modeling of the vehicle motion, detailed study of forces on each component and required stiffness, etc., were not even mentioned by most other vendors as issues to study, indicating that they may not have gotten that far yet.

Taxi 2000 has not yet built a prototype, but the amount of effort to date (plus the apparent success of the PRT 2000 prototype, which was initially based on Taxi 2000) suggests that a prototype would go likely smoothly according to design.

Summary: Taxi 2000 has undergone extensive engineering, and still needs to build a test system. We have no reservations about its ability to perform as advertised, with the information we have available.

ULTra

ULTra operates on a guideway with a road-type surface and small curbs on each side. The guideway is passive. Power is only supplied in stations or as necessary for recharging vehicle batteries. The small 4-passenger vehicle is car-like with 4 rubber tires. It is battery powered. The company plans future dual mode cars for the same guideway.



Status

ULTra has been in development since 1995. Total investment now approaches \$10M

A prototype vehicle was completed March 2000, under UK Government funding.

ULTra won the UK Department of Transport innovative transport competition and is consequently funded for full system design manufacture and test. Two test tracks have been completed, a simple track in Bristol and a more complex figure of eight track in Cardiff with overhead and at-grade sections, and station loop. Testing has been in progress since April 2001. Two types of vehicles have been tested.

The National Assembly of Wales has voted funding to Cardiff County Council to install an operating ULTra system in Cardiff carrying its first passengers by 2005.

Evaluation

The system fell short on these evaluation points: (1) Vehicle separations are not reported. (2) There is only one motor in the vehicle. (3) Rail surfaces are exposed to the weather and so the system may have reduced traction when ice is present. This would influence the safe following distance (which impacts capacity), and could limit grade-climbing ability. (4) There is active guidance, without a passive safety steering feature. (5) The speed is slow, at 40 kph.

Summary: ULTra appears to be undergoing a rigorous development process, which is approaching completion. It appears likely that passenger service will be offered, as the necessary funding has been awarded for this. We have no reservations about its ability to perform as advertised, with the information we have available.

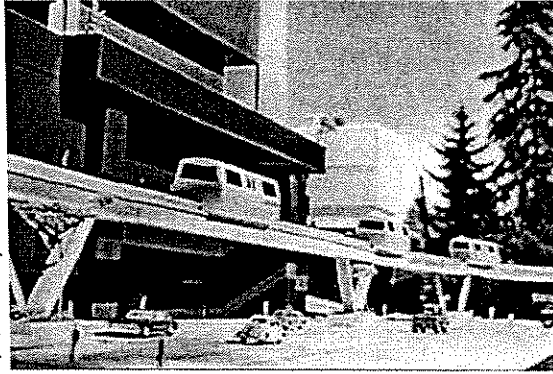
Urbanaut

The Urbanaut guideway (or runway) is a flat surface with a narrow metal stabilizer rail (or fin) running along the center. The guideway is half the vehicle width. The thickness of the guideway is determined by structural considerations only. Vehicles are car-like with 4 rubber tires. They ride on top of the guideway. The smallest vehicle seats 6.

Status

Urbanaut has over the last 10-15 years invested several million dollars in the technology. 3 U.S. patents have been issued on vehicles, propulsion, switching and guideways. Patents have been applied for in many countries. No outside funding has been received in the U.S.

Extensive ProEngineering data, costs, including marketing analysis have been made for all aspects of the Urbanaut concept. A 1:10 Scale operational prototype technology center has been installed incorporating testing of all features, and design for future development and improvement.



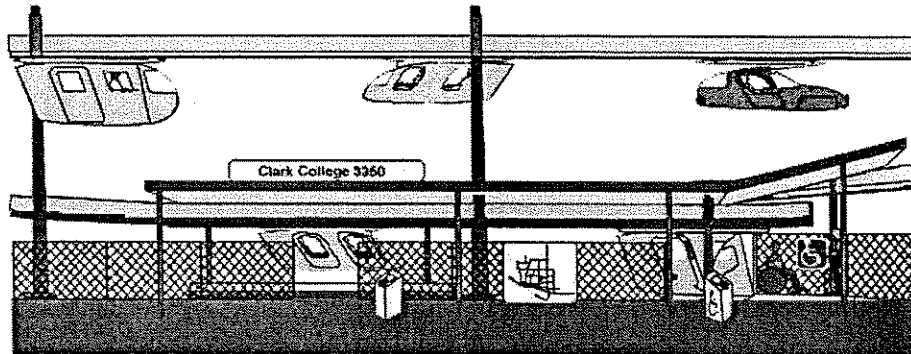
Evaluation

The system fell short on these evaluation points: (1) The curve radius is very large. (2) Running surfaces are exposed to the weather and so the system may have reduced traction when ice is present. This would influence the safe following distance (which impacts capacity), and could limit grade-climbing ability.

Summary: Urbanaut is in the early stage of development. It is unclear what the depth and success of the engineering effort is to date.

Higherway

Higherway is a suspended technology offering PRT service, as well as dual mode vehicles. The guideway is formed into a shape that has a box-beam-type part (like several other systems) with various flanges and a



utility duct added on in an integrated piece. There are several models of vehicles in development; only the Dove (standard, 2 passengers) and Pelican (wheelchair accessible, 1 passenger) vehicles are mentioned in this report. Specially made dual mode cars and cargo carriers are also in design. The Dove has two seats, one in front of the other (tandem seating). Each rider has a separate door and automatic safety restraints.

Status

Less than 5 years and \$5000 have been invested, plus unpaid time by the inventor, which could be valued at \$100,000.

Evaluation

The system passed all evaluation points, at this early stage of development.

The design relies heavily on previous work by the Aerospace Corp., Taxi 2000 and Skytran.

Preliminary design and analysis have been performed, but the system is not fully engineered.

Pathfinder

The Pathfinder guideway is a very small box beam with a narrow slit on the bottom. It is passive and unelectrified in most sections. The vehicle holds up to 4 passengers. The power unit and wheels are inside the box beam, and the cabin hangs from a narrow support that passes through the guideway slot. The vehicle is battery powered and recharges in stations. Switching is done by the vehicle.



Status

Pathfinder Systems has been in development since the 1960's. During this time they have conducted engineering, marketing studies and supported local governments in PRT feasibility studies. They estimate expenditures of over \$2 million.

Quoting the company, "Pathfinder Systems has completed preliminary engineering and product definition studies. We are in position to begin a three-phase development program of component development, prototype assembly and test and production design and test, as funding becomes available. According to our 1998 studies, an initial system could, under the right conditions, be in service in about three years."

Evaluation

The system passed all evaluation points.

Summary: Pathfinder has started the engineering process but it is still early in development.

SwedeTrack

The SwedeTrack guideway is a box beam with a narrow slit on the bottom. Three sizes are proposed. Each size corresponds with a maximum vehicle width, a maximum load, and a diverse set of vehicle sizes. The vehicles are composed of two or three parts that can be interchanged. The "drive wagon" (bogie, wheel set) is inside the box beam. An elevator component hangs from the drive wagon. The passenger or freight cabins hang from the elevators. The vehicles range in capacity from one passenger on up to large vehicles.

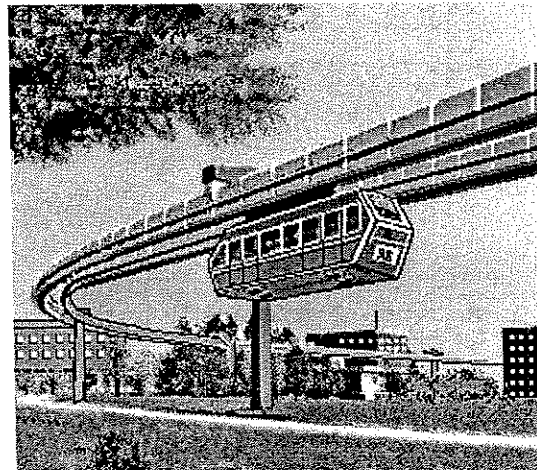
Status

Funding has been received from the city of Gothenburg, Stockholm and the Information Technology Delegation.

Evaluation

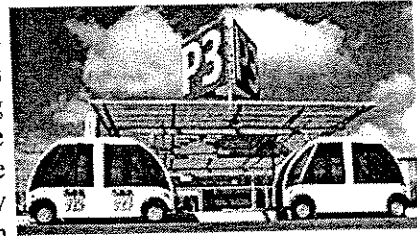
The system passed all evaluation points, at this early stage of development.

Summary: SwedeTrack is in preliminary design, or more appropriately, concept definition.



Frog

Frog is a technology that can be used to provide PRT service, but its primary intention (at least initially) is to provide feeder service to existing mass transit stations. Unlike some other systems, Frog is intended to be viable in very small applications, such as a single parking lot. Vehicles drive on a standard road surface with no physical guidance at all. Extensions of the track can easily be realized by adding reference points to the track (magnets) and editing the layout in the supervisory computer. Mixing with other traffic will become possible in the long run using this technology, but not at present.



Status

Development of the technology started in 1984. Development of the vehicles for passenger transport started in 1995. The development department is constantly upgrading the hardware and software. The number of man-years and the development costs are confidential.

SuperFROG, the control system, has been totally developed and operational for over 10 years for indoor industrial applications and outdoor industrial and people mover applications.

Two pilot projects, with a total of 7 vehicles seating 10 passengers each, have been installed and have been operating since 1997 and 1999 respectively. One of these pilot projects will be continued and expanded with new, second generation vehicles in 2003. Another system will be installed in the beginning of 2002, using vehicles seating 4 to 6 passengers. For this system two prototypes have been built for testing purposes. In total 25 vehicles will be operational at this site.

Evaluation

The major obstacle to implementing Frog as PRT is that its originally intended market niche is apparently to serve ground level short-distance group transit needs exemplified by parking shuttles. In order to be used as PRT, the smaller vehicle would be used, and grade-separated roadway would be built. This would be doable but is apparently not the company's current focus.

The system fell short on these evaluation points: (1) There is only one motor in the vehicle. (2) Rail surfaces are exposed to the weather and so the system may have reduced traction when ice is present. This would influence the safe following distance (which impacts capacity), and could limit grade-climbing ability. (3) There is active guidance, without a passive safety steering feature.

Summary: Frog may be undergoing a rigorous development process, which is not yet complete. However, we do not have enough details to be able to evaluate their level of effort and success to date. The company has a transit system in operation, but not offering true PRT service.

MAIT

MAIT is a company that will not actually provide a PRT system, but is designing a standardized vehicle transfer mechanism that will allow a passive cabin to move among many different, separately developed, transport carriers.

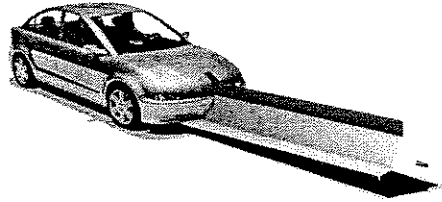
The carriers could be low speed or high speed, entrained or not. They could be road trucks, automated guideway carriers, or any other vehicle type. The thing in common with all carriers is their attachment mechanism.

The loads, or charges, could be passenger cabins or freight containers. They could also be designed in many different ways, but would have a standard attachment mechanism.

MAIT is not included in many of the evaluation sections in this report because it is not in itself a complete PRT system.

Ruf

Ruf is a dual mode system offering both individual cars and buses (called maxi-rufs). Unlike any other system evaluated in this study, Ruf is pure dual mode, as opposed to PRT with a dual mode option. In order to include Ruf in this report, we are evaluating it solely on the basis of how well it can perform in PRT mode, which is not its primarily intended usage. The system may suffer in this evaluation because of that mismatch of goals.



The Ruf monorail guideway cross section is a triangle with the flat side on the bottom and pointed on top. The guideway is passive and contains no switches. The vehicles have a triangular (prism-shape) cutout on the bottom which fits the guideway. Vehicles have two sets of wheels. The road wheels are standard auto tires. The guideway wheels make contact with both sides of the triangular guideway. Externally only the road wheels are visible. The guideway shape facilitates the transition from road driving to guideway driving, without having to stop.

Status

RUF has been under development in Denmark since 1988. It has been funded by private and public money. The total development cost so far is in the order of magnitude of \$1.5 million. Two EU programs are now supporting RUF with additional funds.

A fully functional test track and a 1:1 operating Ruf has been built and is currently being tested at the University of Applied Sciences in Ballerup outside Copenhagen, Denmark. The test vehicle is able to show most of the basic functions of a Ruf, but more development is still needed.

A 1:1 mock-up of the maxi-ruf has been built and a 200 m expanded test track has been planned and prepared for. The ground is available and ready and the material has been donated by the Danish Steel Works, so it is ready to be erected.

Software has been written for simulations, travel demand and flow, and energy use.

Evaluation

The system fell short on these evaluation points: (1) The curve radius is marginal. (2) Rail surfaces are exposed to the weather and so the system would have reduced traction when ice was present. This would influence the safe following distance (which impacts capacity), and could limit grade-climbing ability. (3) There is active guidance in switches, without a passive safety steering feature.

Summary: Ruf is in the early or middle stage of engineering and appears to be undergoing a rigorous development process.

Evaluation of visual/geometric factors

In order to make a comparison of the visual obstruction of the various systems, we invented a term and measure for the purpose. A "skyprint" of an elevated guideway is the amount of the sky it blocks when viewed from a 45 degree angle from beneath. In order to make the comparison independent of the viewing distance, it is not stated in degrees, but rather distance (in meters).

All systems had smaller skyprints than any elevated rail system. The largest skyprints are Cybertran (3.0 m) and Autran (2.3 m). Highway, Mitchell, Pathfinder, and Ruf have skyprints under 1 m, and the others are between 1 m and 2 m.

Other factors are similar in most systems, in terms of the ability to fit into an urban landscape. All systems have the option of a small curve radius, except Urbanaut.

Evaluation of development status

You cannot purchase a working PRT system off the shelf today, because all the vendors specify that they need more development funding. However, instead of continuing further PRT engineering effort in isolation, we recommend that several gaps between potential vendors and customers be bridged:

The first gap is policy, including regulations covering rights of way, visual rights, liability, safety, and a long list of factors for which there are no current regulations, and that are not on government agendas currently. The effort required to close the policy gap is potentially much larger than the effort of PRT vendors to redesign systems to meet clear requirements. So, in this area, the engineering isn't the main issue.

The second gap is investment risk. Once regulations and public/private contracts are established, private investment money becomes more protected, and therefore more available.

Based on their knowledge of the technical and social issues, the majority of the report team feels that PRT is technically viable and will deliver on its promises once implemented. The main obstacles seem to be in the marketing, rather than technical, realm. We believe some of the systems are ready for full scale demonstration projects for practical use. In fact, ULTra is embarking on such a project at the time of this publication.

We promised the vendors not to publish any points or ranking of the systems, but this does not mean that we are trying to "equalize" them. Of course, some systems are much further along in their engineering than others.

Other evaluation points

Vehicle, passenger comfort

Wheelchair accessibility

All vendors proposed wheelchair accessible vehicles.

Vehicle size

All vendors meet the basic requirements of 2 seated passengers.

Vehicle weights are generally reasonable and in the range of 100 to 200 kg per seat (empty).

Passenger capacity ranges from 1 to 20. Some vendors have pointed out that their studies indicated no substantial savings in decreasing vehicle size below 3-6, so a 1- or 2-passenger vehicle may have no particular benefit. A vehicle holding 6 or more passengers would very rarely be used to capacity in PRT mode, and larger ones are probably intended for GRT service.

Accelerations

Most systems reported normal accelerations in the range 0.2 – 0.25 g. Those that go up to 0.5 g would be beyond a comfortable limit for normal operations, according to traditional transit approaches. However, 0.5 g is common in airplanes. If permitted, these higher accelerations could reduce the length and cost of on-ramps.

Propulsion system, grade, traction

There are several different kinds of motors and drive systems proposed, classified as follows:

1. in-vehicle rotary motors using power continuously supplied by the guideway (most systems)

2. in-vehicle rotary motors using battery power, with a system for recharging batteries (Frog, Pathfinder, and ULTra)
3. linear motor, with passive side mounted on guideway and powered side mounted on vehicle, using power continuously supplied by the guideway (Taxi 2000)
4. guideway-mounted motors that physically push the vehicles (Mitchell)

Evaluation of propulsion systems

- Grade-climbing – Among systems where grade-climbing ability is reported, all meet the suggested minimum of 10%.
- All-weather traction – Several systems raised concerns for the committee about all-weather traction. Systems having rail surfaces (or road-like surfaces) exposed to the weather would have reduced traction when ice was present.
- Battery recharge time – Frog, Mitchell, Pathfinder, and ULTra use batteries which are recharged in stations. In order to add credibility to these systems, vendors should demonstrate with a simulation model that the available recharge time is sufficient to keep up with demand.

Switching and steering

There are two classes of switches. In guideway-based switching, the guideway physically moves, similar to train and monorail and almost all other transit systems ever built. In vehicle-based switching, the guideway has no moving parts, and the vehicle moves a wheel or other device to cause it to either follow the left track or the right track.

Most of the systems use vehicle-based switching. One system uses a combination of the two.

The committee sides with the majority of developers in the thinking that a vehicle-based switch is an improved design over a conventional rail switch. Its advantage with regard to vehicle spacing is that two or more vehicles can be in the diverge area of a switch at the same time and be going different directions. If any moving parts are used in the guideway, the leading vehicle has to completely traverse the diverge section, and then time must elapse for the switch action, plus enough time for switch verification and an emergency stop should the switch or sensor fail, prior to the next vehicle entering the diverge section.

Control, reliability, capacity, related information

Theory

Headway is the spacing from one vehicle to the next. *Safe stopping distance* is the distance that is required between vehicles, such that if the leading vehicle stops unexpectedly, the following vehicle can stop safely without colliding. In rudimentary theory, safe stopping distance increases proportionally to the square of the speed. The time between vehicles traveling at a safe stopping distance increases proportionally to the speed. Therefore the higher the design speed, the lower the capacity, other factors being equal. Car drivers typically exhibit the unconscious behavior of increasing their following distance proportionally to the square of their speed at speeds over 50 kph, confirming the basic theory.

In the case of highways, the *load* is an independent variable: the number of cars entering the highway is uncontrollable. The speed of the resulting traffic flow depends on the load: the more cars, the slower they go. With PRT, however, load is a controlled variable, so that congestion does not occur. If the demand for the system is more than the capacity (at the optimal speeds) then the riders must wait at the origin until there is room. Then, once there is room, the trip proceeds without delays.

Safe stopping distance is not necessarily a requirement between *every* vehicle. There are two kinds of emergency stops: brick-wall, or sudden stops, and gradual stops. Brick-wall stops would occur if a tree or other large object fell on the guideway. Gradual stops would occur under most classes of vehicle or communications malfunction. If a vendor can show that brick-wall stops are very unlikely, and that

collisions caused by brick-wall stops are not fatal, then the risks of a system that operates below safe stopping distance (for brick-wall stops) is a justifiable risk to take. We propose customer-oriented requirements on this topic in the safety section of this study.

When studying PRT, *capacity* should refer to vehicles, not passengers. Vehicle loading is likely to be the same for any system running in PRT mode, regardless of vehicle size. For the purposes of this report, we are assuming that the systems billed as PRT, as well as those systems with larger vehicles (such as Austrans and Cybertran) will all be running in PRT mode, that is, serving only one passenger at a time or a group wishing to travel together.

Note the difference between two types of capacity:

- Line capacity – generally measured as the number of vehicles passing a point on the guideway per hour (e.g. 2,000 vehicles/hr).
- Network capacity – the number of passengers that can be served in a PRT network per hour or per day. Or, this can also mean the average of all line capacities for a given network.

Capacity isn't the key issue when choosing a transportation solution. Higher capacity isn't necessarily better. The issue with regard to quantity of service is: how much does it cost (how many guideways and stations) to serve the actual ridership demand? The vehicle separation (corresponding to line capacity) is one input into a model that can predict the answer.

Evaluation of separation and speed

There is great variation here in design approaches. *Speeds* range from 32-50 kph on the low end of design speed, to 150-200 kph on the upper end of maximum speed, with one extreme case, Mitchell, claiming a theoretical maximum of 480 kph. Most systems claim to be able to go over 100 kph, and there is no reason to doubt this, since many trains and light rail and other systems in operation achieve this speed.

Vehicle separations are mostly in the range 0.5 –2.0 seconds (s), with two systems at 5 s. CyberTran is much higher, and would therefore have very low capacity in PRT service mode. On the low end, Highway, MegaRail, MicroRail, Mitchell, and Ruf claim sub-second separations. These systems rely on physical traction to maintain safety at the close spacing. Taxi 2000, at 0.5 s spacing, does not depend on physical traction, since the linear induction motor accelerates and decelerates the vehicle.

Evaluation of control and related factors

The basic requirements of a control system are that it must (1) safely react to failures, (2) not rely on a central control tier, and (3) isolate and continue to operate around disabled areas. It is far beyond the scope of this study to evaluate whether the proposed systems will meet these requirements. It is noted that the control strategies are remarkably similar, and that on the surface, there are no apparent problems with any of the approaches.

Development of the control system is an expensive item that has not been completed by most vendors (see section on Development Status)

Environmental, energy

External noise

It appears that noise will not be a problem for any system, based on a few estimates and a knowledge of the technology compared to other vehicle types. Basically, electric motors, light vehicles, and smooth running surfaces are a feature of every system, and these ingredients are a good recipe for a quiet system.

Energy use

Estimates for PRT energy consumption have a fairly broad range. All systems plan to operate electrically, eliminating vehicular air pollution. Vehicles are generally expected to exceed current passenger vehicle efficiency levels, although some larger vehicles have significant energy requirements.

A current passenger car uses about 370 Wh/km, after converting energy units to their electrical equivalent. By comparison, proposed PRT systems will use from about 60 Wh/km to 390 Wh/km.

Safety

All systems take safety very seriously, but there is of course no safety data from operations. Because safety could not reasonably be demonstrated with a small test system, it would have to be demonstrated in revenue operation. The catch is, of course, that a revenue system would not be permitted until safety standards were demonstrated. There is a way out of this catch, however. A system operator wishing to install a new system can start out with longer headways or other control system measures until enough data accumulated to prove the reliability, then shorten the headways and increase capacity later. This approach would meet public safety the requirement while allowing testing during revenue operations.

In addition to this approach of demonstrating actual safety statistics, an independent engineering firm would have to validate the safety methodology of the system vendor.

Cost and value

Component costs

We asked the vendors to provide cost information on vehicles, guideway, and tradeoffs.

***** Please do not compare these cost numbers directly, because different systems may classify costs differently. Contact the vendor for their latest cost estimates for a particular application. *****

Responses from vendors were as follows:

System	Guideway (M\$/km)	Vehicle (k\$)	Notes, Justification
Austrans			not supplied
Autran	1.3 (e)	20	costed by principal in company
Cybertran	3.1 (bep)	100	costed by four separate large firms and based on prototypes
Frog (CyberCab)	unknown	63	based on pilot project
Higherway	2.0	unknown	preliminary estimate
MegaRail	1.3 (ep)	18	preliminary estimate
MicroRail	0.8 (ep)	15	preliminary estimate
Mitchell (ADA)	1.5 (ep)		cost based on bids by manufacturers of the prototypes
Pathfinder	12-15		includes stations; estimated by principals in company
Ruf	2.2	20	estimated by principal in company
SwedeTrack			unknown
Taxi 2000	1.6 (ep)	26	costed by a university and three other large firms
ULTra	1.5	50	actual cost of prototype
Urbanaut	4.5 (ep)		

Notes on table – what costs are included in estimates

(b) bi-directional

- (e) electronic guideway based control system
- (p) power substations, transformers

Component cost evaluation

A review of the component costs yields these results for PRT in general:

- Most guideway costs are in the range of \$1.5 to \$3.0 M per km
- Most vehicle costs are in the range \$26 to \$50 k.
- We note that a lot of work has gone into costing, and that the results of those separate studies for different systems yield costs in the same ballpark. Therefore we accept the cost ranges given as legitimate by a factor of 2.
- Central control, communications, switches, and a maintenance facility are small costs compared to guideway construction (assuming at least 10 km of network), so can be left out of preliminary estimates.

Capital cost of 10-km system (system-independent)

A customer could reasonably expect to procure PRT at the rates listed below, or could use these for urban planning purposes. The customer could multiply the final result for a 20-km system, 30-km, etc. for a very informal method of costing PRT. The table is listed for 10-km, which is the distance of all the network segments added up.

Component	Unit Cost	Number	Total (k\$)
Guideway – straight	2,300 k\$/km	8	18,400
Guideway – curved	3,400 k\$/km	2	6,800
Vehicle	38 k\$ each	100	3,800
Stations @ 2/km	250 k\$ each	20	5,000
TOTAL			34,000

Therefore capital costs might be around \$34 M for a 10-km network. (for preliminary planning purposes)

That's \$3.4 M per km, or a little over \$5 M per mile.

Developer Contact Information

System Name	Contact Person, email, web address	Postal address, Phone (USA unless otherwise noted)
Austrans	Nadia Savage or Gerald Ryan Nadia.Savage@aebishop.com http://www.aebishop.com	Australia Tel: +61-2-9805 8036
Autran	Van Metre Lund autrancorp@att.net http://www.autrancorp.com	Autran Corp. 9220 E. Prairie Rd. #410 Evanston, IL 60203 Tel: 847 674 2407

System Name	Contact Person, email, web address	Postal address, Phone (USA unless otherwise noted)
Cybertran	Dr. John A. Dearien jad@cybertran.com http://www.cybertran.com/	CyberTran International, Inc 1800 Orion St., Suite 111 Alameda, CA 94501 Tel: 510 864 3221
Frog, 2getthere ³	Robbert Lohmann robbert@frog.nl http://www.frog.nl	Frog Navigation Systems B.V. Cartesiusweg 120 3534 BD UTRECHT the Netherlands Tel. (+31) 30 - 244 05 50
Higherway	Tad Winiecki winiecki@pacifier.com http://www.artwerkz.com/h/	Higherway Transit Research 16810 NE 40th Avenue Vancouver, WA 98686-1808 Tel: 360 574-8724
MAIT	John Greenwood john.greenwood@argonet.co.uk http://www.maitint.org	MAIT international e.V. Laenggassstr. 54 CH-3012 Bern Switzerland
MegaRail	Kirston Henderson kirston.henderson@megarail.com http://www.megarail.com	MegaRail PO Box 121728 Fort Worth, TX 76121 Tel: 817-738-9507
MicroRail	(same company as MegaRail)	
Mitchell	Peter Mitchell pitchell@aol.com no web site	Mitchell Transit Systems, Inc. PO Box 343 Middleburg, VA 20118 Tel: 540-364-1441
Pathfinder	Jack Locke JackLocke@cablespeed.com no web site	Pathfinder Systems Inc. 2545-11 th Avenue West Seattle, Washington 98119-2504 Tel: 206-285-4041
RUF	Palle Jensen pallerj@inet.uni2.dk http://www.ruf.dk/	Mogens Balslev A/S and Palle R Jensen Produktionsvej 2 2600 Glostrup Denmark Tel: (+45) 7217 7202
SwedeTrack	Jan-Eric Nowacki nowacki@telia.com http://www.swedetrack.com/	
Taxi 2000	Ed Anderson jeanderson@taxi2000.com http://www.taxi2000.com/	Taxi 2000 Corporation 5164 Rainier Pass NE Fridley, MN 55421 Tel. 763-586-0878
Urbanaut	Einar Svensson svensson@empnet.com no web site	

³ 2getthere is a new subsidiary of Frog Navigation Systems, but in this report we continue to use the name Frog since the change was made while the report was in development.

System Name	Contact Person, email, web address	Postal address, Phone (USA unless otherwise noted)
ULTra	Martin Lowson martin@lowson.f9.co.uk http://www.atsltd.co.uk/	Advanced Transport Systems, Ltd Alpenfels North Road, Leigh Woods Bristol BS8 3PJ England Tel: 44 117 973 7777

(END OF SUMMARY REPORT)



UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Regional Office
Van Nuys, CA 91406-4224

March 15, 2007

We would like to invite you and other interested persons from your jurisdiction to attend one of several workshops we have scheduled on the Local Update of Census Addresses (LUCA) Program for the 2010 Decennial Census. As an integral part of the 2010 Decennial Census activities, the LUCA Program provides an opportunity for your government to review and update the Census Bureau's address list and related maps.

We have scheduled several two hour promotional workshops in your surrounding area, as listed in the enclosure to this letter. At each of these workshops, we will:

- ✓ Explain how the LUCA program will benefit you
- ✓ Describe the three different participation options and provide a schedule
- ✓ Provide Legal requirements and security requirements required for participation
- ✓ Provide an opportunity to review program materials and ask questions
- ✓ Provide information to help develop a strategy for your LUCA review

We strongly urge you to attend a workshop to learn more about participation in the LUCA program. The accuracy of the address list is critical to the efficiency of the census enumeration. Through participation in the LUCA Program, your local knowledge can help ensure complete coverage in the enumeration of your jurisdiction. **Please RSVP by completing and returning the enclosed *Workshop Reply Form*** to the Los Angeles Regional Office within 10 days prior to the date of the workshop you wish to attend to ensure space availability.

In addition to our promotional workshops described above, we plan to schedule a five-hour technical workshop in the Fall 2007 after LUCA invitations are sent out in July. For more information on the LUCA program and the proposed schedule, please refer to the following website: http://www.census.gov/2010census/promotional_materials/009579.html

If you have any questions please contact Linda Akers or Timothy McMonagle at 818-267-1724 or via email at los.angeles.geography@census.gov. We look forward to a growing partnership with you as we prepare for the 2010 Decennial Census.

Sincerely,

James T. Christy
Regional Director
Enclosure

2010 Census LUCA Program Workshop Reply Form

JURISDICTION NAME: _____

Date: _____

Name of person completing form: _____

Phone: _____ **Email:** _____

*Please complete this form and return via fax, email or regular mail to **Geography:***

818-267-1714 (fax) los.angeles.geography@census.gov

US Census Bureau

15350 Sherman Way Suite 400

Van Nuys, CA 91406

Workshop Location: _____ **date:** _____

Persons to attend workshop:

Name: _____

Phone: _____

Email: _____

Name: _____

Phone: _____

Email: _____

Workshop Location: _____ **date:** _____

Persons to attend workshop:

Name: _____

Phone: _____

Email: _____

Name: _____

Phone: _____

Email: _____

Local Update of Census Addresses Promotional Workshops

El Centro - March 15	9:00 - 11:00am	Imperial County Office of Education Board Room, Building A 1398 Sperber Road El Centro, CA 92243
Van Nuys - April 2	1:00 - 3:30 pm	US Census Bureau - LA regional Office 15350 Sherman Way Suite 400 Van Nuys, CA 91406 <i>parking charge</i>
Marina - April 10	10:00am - 12:00pm	Association of Monterey Bay Area Governments City of Marina's Airport 781 Nesson Rd Marina, CA 93933
San Diego - April 10	9:30am - 11:30am	San Diego Association of Governments Wells Fargo Plaza, 401 B St 7 th floor conference room 7 San Diego, CA 92101 (<i>parking charge</i>)
Santa Ana - April 11	10:00am - 12:00pm	County of Orange Resources and Development Dept 300 N Flower , Basement Room B-10 Santa Ana, CA 92703 (<i>parking charge, call for map</i>)
San Luis Obispo - April 11	1:30pm - 3:30pm	San Luis Obispo Council of Governments Conference Room 1150 Oso St, Suite 202 San Luis Obispo, CA 93401
Santa Barbara - April 12	10:00am - 12:00pm	Santa Barbara County Association of Governments Wisteria Conference Room 260 N San Antonio Rd, Suite B Santa Barbara, CA 93110
Los Angeles - April 12	10:00am - 12:00pm	Southern California Association of Governments 818 West 7th Street, 12th floor Los Angeles, CA 90017 (<i>parking fee</i>)
Ventura - April 16	9:00am - 11:00 am	County of Ventura Hall of Administration Multipurpose Room 3 rd floor 800 S. Victoria Ave. Ventura, CA 93009
Paramount - April 17	1:00pm - 3:00 pm	Gateway Cities COG 16401 Paramount Blvd Paramount, CA 90723
Riverside - April 18	1:30pm - 3:30pm	Riverside County Administrative Center 4080 Lemon Street 4 th floor Conference Rooms C&D Riverside, CA 92501

Fresno - April 18	1:00pm - 3:00 pm	Council of Fresno County Governments 2035 Tulare St Suite 201 Sequoia Room Fresno, CA 93721 (<i>call for map</i>)
Merced - April 19	10:00am - 12:00pm	Merced Civic Center Sam Pipes room, 1 st floor 678 W 18 th Street Merced, CA 95340
Tulare - April 25	1:00pm - 3:00 pm	Tulare County Association of Governments 5961 South Mooney Blvd (meeting room on left side of bldg) Visalia, CA 93277
Bakersfield - April 26	10:00am - 12:00pm	Kern Council of Governments 1401 19 th Street Suite 300 Bakersfield, CA 93301
Alhambra - May 8	1:00pm - 3:00 pm	LA County Department of Public Works 900 S. Fremont Ave, Room B Alhambra, CA 91803
San Bernardino - May 15	10:00am - 12:00pm	San Bernardino Associated Governments 1170 W 3 rd Street, 2 nd Floor San Bernardino, CA 92410
Palm Desert - May 16	10:00am - 12:00pm	Coachella Valley Association of Governments 73-710 Fred Waring Drive Suite 115 Palm Desert, CA 92260
Palm Springs - May 16	1:00pm - 3:00 pm	Spa Resort Hotel (<i>special focus on indian reservation lands</i>) 100 N. Indian Canyon Cahuilla East meeting room Palm Springs, CA 92262
Bishop - May 17	9:00am - 11:00 am	Bishop City Council Chambers 307 W. Line St Bishop, CA 93514

for questions regarding the LUCA workshops, please contact:

Geography
US Census Bureau Los Angeles Regional Office
15350 Sherman Way Suite 400
Van Nuys, CA 91406
(818) 267-1724 telephone
los.angeles.geography@census.gov



CALIFORNIA
STATE
UNIVERSITY,
FRESNO

February 22, 2007

Bill Hyatt, SSTAC Chairman
Central Valley Regional Center Inc.
4615 North Marty
Fresno, California 93722

Subject: UNMET PUBLIC TRANSPORTATION NEEDS

Dear Mr. Hyatt,

I am writing this letter in response to your memorandum dated February 1, 2007. I am the Traffic Operations Lieutenant at California State University, Fresno and oversee the promoting of alternate means of transportation at the campus. Gary Beddingfield, University Plant Operations, Fred Martinez, University Police Department, and I have previously met with John Downs from Fresno Area Express to discuss transit improvements at Fresno State. We are currently in the process of upgrading the bus shelters along Shaw Avenue to include lighting and additional covered space for transit riders. We are also working with FAX on an Automated Fare Collection program which would allow us to utilize our University I.D. cards to board buses.

We still, however, have some concerns in regard to the following:

1. **Increase the hours of transit operation during the weekdays for faculty, staff, students and visitors using FAX or Clovis Transit in their commute to the campus.**

Currently FAX routes 9, 28, 38 and Clovis Transit route 10 serve the campus. FAX routes were extended during the week days (Monday through Friday) to provide transit service after 9 p.m. Clovis Transit provides no service beyond 6:30 pm during the week. Many night classes do not adjourn until 10 p.m. during the week, this makes transit service unavailable to our students, faculty and staff. An extension of service until 10 p.m. on week nights would be helpful and give the campus community the opportunity to use transit in their commute.

2. **Increase the hours of transit operation on weekends for faculty, staff, students and visitors to the University and add additional Service/Stops to accommodate the addition of Campus Pointe on the east side of the campus (Chestnut Ave.)**

Traffic Operations

2311 E. Barstow Ave. M/S P014
Fresno, CA 93740-8004

559.278.2950

Fax 559.278.7538

THE CALIFORNIA STATE UNIVERSITY

RECEIVED
FEB 23 2007

Weekend service continues to be an unmet need in regard to library visits, Student Recreation Center, football games, special events, and events at the Save Mart Center. Most events at the Save Mart Center extend beyond 10 p.m. especially on the weekends. This item continues to become more critical with the increasing number of events scheduled at the Save Mart Center, the addition of Campus Pointe, Library expansion and the proposal to expand Bulldog Stadium. We currently have many events on campus (concerts, plays, and sporting events) that occur on the weekends and there is no transit service beyond 7:13 p.m. Clovis Transit provides no weekend service to the campus.

3. Offer student discounts for the purchase of monthly bus passes.

This would provide an incentive for students to use transit. This would help reduce traffic and parking congestion on the campus. University students are one segment of the Fresno/Clovis population that are likely to use public transit and should be encouraged to do so. This could also be implemented for faculty and staff commuters.

We encourage FAX to continue to develop an Automated Fare Collection program to allow faculty, staff and students to use their university ID card as the transit fare. The ID card would be swiped into a card reader. This would allow us to track usage and determine the appropriate pricing.

In the interim, a discounted fare for students, faculty and staff would serve as an incentive to transit use and allow the university to promote transit rider ship.

4. Continue to expand transit service in the northeast and northwest sections of the city.

There is very little transit service north of Herndon Ave. A large number of campus students, faculty and staff live in zip codes to the northwest and northeast of the campus. (93711, 93722, 93720, 93611).

5. Provide better transit service to Fresno State from the outlying (rural) communities.

Our student populations commuting from the outlying areas of the Valley have no timely or efficient means of using transit to commute to the University. Students living in communities such as Visalia, Madera, or Hanford need a reliable and timely commuting option. The campus population from these areas continues to increase. Disabled students have expressed a concern for transportation from the outlying communities. There needs to be increased coordination between Fresno County and surrounding counties to

address unmet transit needs from outlying areas. An express service from a central point in each city might be a viable program.

6. Implement an on campus Transit Center.

An on campus transit center would benefit students, visitors, faculty and staff with campus interior transit service to campus. Bike lockers in the transit center area would also be beneficial for those opting to bicycle and to highly secure their bike in an enclosed locker. Arrival and departure times for buses could also be posted at this site. An on-campus transit center is currently under consideration in our proposed Campus Master Plan.

7. FAX Route 9

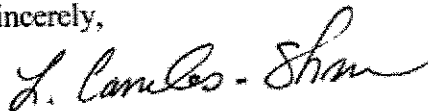
Change the routing to proceed north of the Fresno State campus (at Woodrow Ave. or Chestnut Ave) and complete a loop around the campus heading west on Barstow Avenue and then south on Cedar Avenue. This would provide access to campus destination points north of Shaw Ave. and be more convenient to transit riders. Clovis Transit Route 10 currently provides a loop around the campus with many stops along the route. Once the Campus Pointe development on the east side of Chestnut Avenue is opened it will become a destination point and need transit service. This service could be provided with a change in Route 9.

8. Campus circulator routes

Fresno State has previously discussed the possibility of providing transit service (Quick Response Vehicle shuttle buses) to clusters of students living within a two to three mile radius of the campus. The majority of these students now drive to the campus since there is no direct or convenient transit service west or south of the campus. This would require the purchase of smaller vehicles and a partnership with the University.

Thank you for reviewing our concerns regarding unmet transit needs for Fresno State.

Sincerely,



CC: Cynthia Teniente-Matson
Vice President for Administration

David Moll
Director of Public Safety

Barbara:

Thank you for the February 1, 2007 memo titled "Unmet Public Transportation Needs" issued by Bill Hyatt.

I would like to request that the unmet needs for bus service in Northwest Fresno be considered during this process. Specifically, I've had requests for several years now for Service on West Bullard as far west as Polk Ave. There are Bullard HS students in the Figarden loop area and west of the loop that ride the City Bus to and from school because of 7:00 AM classes and sports after school. Currently, they have to go from the Bullard and Cecilia area all the way down and around the loop and over the train tracks up to the bus stop at Herndon and Milburn. It makes using public transportation for going to BHS very difficult.

Additionally, I have had requests from Disabled residents in the West Herndon at Polk/Spruce area, and even as far West on Herndon at Herndon town. This area at Herndon and Weber is a very low income (CDBG) area. They have requested bus service in the past. Currently, people needing to take the bus have to walk east bound on Herndon with no sidewalks to Milburn. They have to walk or ride in wheel chairs up and over the narrow overpass which has no sidewalks over the train tracks. This is a dangerous situation which could be mitigated if there were bus service further West of Milburn on Herndon. Although I realize ridership is a consideration, it would be hard to gauge ridership until service is available in these areas.

Thank you for your interest in these concerns. Please feel free to contact me or my Council Assistant, Ann Kloose if you need additional information.

Brian

BRIAN CALHOUN
Councilmember, District 2
2600 Fresno Street
Fresno, CA 93721
(559) 621-8000

April 2007 Legislative Update

[illegible]

	assessment: traffic safety.		
AB 118 Nunez	Alternative fuels: funding.	1st Desk [REDACTED]	4
AB 156 Laird	Flood control.	1st Policy [REDACTED]	4
AB 157 Plescia	Elections: Presidential primary elections.	1st Policy [REDACTED]	4
AB 162 Wolk	Land use: water supply.	1st Policy [REDACTED]	5
AB 224 Wolk	Water supply planning.	1st Policy [REDACTED]	5
AB 256 Huff	State highway operation and protection program.	1st Policy [REDACTED]	6
AB 534 Smyth	Bicycle Transportation Account: funding.	1st Policy [REDACTED]	6
AB 633 Galgiani	Rail Safety and Traffic Mitigation Bond Act of 2007.	1st Desk [REDACTED]	6
AB 669 Parra	Transportation bonds: State Highway Route 269.	1st Policy [REDACTED]	7
AB 867 Davis	Transportation analysis zones.	1st Policy [REDACTED]	7
AB 901 Nunez	Transportation: Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006.	1st Desk [REDACTED]	7

<u>AB 981</u> Ma	High-Speed Rail Authority.	1st Policy [REDACTED]	8
<u>AB 1170</u> Krekorian	Transportation bonds.	1st Policy [REDACTED]	8
<u>AB 1227</u> Gaines	Transportation funding: cities and counties.	1st Policy [REDACTED]	8
<u>AB 1228</u> Solorio	Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.	1st Policy [REDACTED]	8
<u>AB 1350</u> Nunez	Transportation bond funds.	1st Desk [REDACTED]	9
<u>AB 1351</u> Levine	Transportation: infrastructure.	1st Desk [REDACTED]	9
<u>AB 1358</u> Leno	Planning: circulation element: transportation.	1st Policy [REDACTED]	9
<u>AB 1672</u> Nunez	Transportation: infrastructure.	1st Desk [REDACTED]	9
<u>ACA 1</u> Dymally	Elections: redistricting.	1st Desk [REDACTED]	10
<u>ACA 4</u> Villines	Reapportionment.	1st Desk [REDACTED]	10
<u>ACR 12</u> Parra	Agriculture: frost damage.	1st Policy [REDACTED]	11
<u>SB 9</u> Lowenthal	Trade corridor improvement: transportation project selection.	1st Policy [REDACTED]	11
<u>SB 16</u> Florez	Local agency finance: local tax	1st Policy [REDACTED]	11

	revenue bonds.		
<u>SB 19</u> Lowenthal	Trade corridors: projects to reduce emissions: funding.	1st Policy [REDACTED]	11
<u>SB 33</u> Simitian	Vehicles: wireless telephones and mobile service devices.	1st Policy [REDACTED]	12
<u>SB 45</u> Perata	Transportation funds for capital projects and capital expenditures.	1st Policy [REDACTED]	12
<u>SB 47</u> Perata	Transportation bonds.	1st Policy [REDACTED]	13
<u>SB 59</u> Cogdill	Reliable Water Supply Bond Act of 2008.	1st Policy [REDACTED]	13
<u>SB 71</u> Florez	Alternative fuels: biodiesel.	1st Policy [REDACTED]	13
<u>SB 113</u> Calderon	Elections: presidential primary elections.	Chaptered [REDACTED]	13
<u>SB 114</u> Florez	Disaster relief.	1st Floor [REDACTED]	13
<u>SB 116</u> Maldonado	Unemployment compensation benefits: freezing weather.	1st Floor [REDACTED]	14
<u>SB 167</u> Negrete McLeod	General plans: planning grants and incentives.	1st Fiscal [REDACTED]	14
<u>SB 184</u> Alquist	Transportation projects.	1st Policy [REDACTED]	15

<u>SB 204</u> Dutton	Transportation funds.	1st Policy [REDACTED]	15
<u>SB 240</u> Florez	San Joaquin Valley Unified Air Pollution Control District.	1st Policy [REDACTED]	16
<u>SB 286</u> Dutton	Transportation bonds: implementation.	1st Policy [REDACTED]	16
<u>SB 307</u> Dutton	Goods movement.	1st Policy [REDACTED]	16
<u>SB 372</u> Steinberg	High-speed rail.	1st Policy [REDACTED]	17
<u>SB 803</u> Lowenthal	Transportation enhancement funds: community conservation corps.	1st Policy [REDACTED]	17



April 2007 Legislative Update

Bill# Author	Topic - Summary	Status/ Hearing	Position	Subject
AB 5 Wolk	Flood Protection: local: central valley: plans. Existing law prescribes various responsibilities of state agencies, counties, cities, districts, and landowners with respect to levees. Existing law regulates the inspection, improvement, and maintenance of project and nonproject delta levees, as those terms are defined. Under existing law, the Department of Water Resources and the Reclamation Board administer various flood control programs. This bill would require an unspecified entity to create the Central Valley Flood Protection Plan to address flood protection in the central valley. The bill would authorize local agencies to create a local plan of flood protection meeting the requirements of the bill, and would require priority for state funds to be given to local agencies that have adopted a local plan of flood protection. The bill would create the Local Flood Protection Plan Assistance Fund to, upon appropriation by the Legislature, assist local agencies by awarding grants to those agencies to conduct necessary activities in the development of a local flood protection plan. The bill would prohibit local governments in the central valley from approving new developments within high-risk flood prone areas, unless unspecified conditions are met to ensure appropriate levels of flood protection.	02/01/2007- Referred to Coms. on W.,P. & W. and L. GOV. 04/10/07 9 a.m. - Room 437 ASM WATER, PARKS AND WILDLIFE	Watch	Water
AB 27 Parra	California Partnership for the San Joaquin Valley. Existing law authorizes 2 or more public agencies, including any federal department, state or local agency, to enter into an agreement for the purpose of exercising any power common to the contracting parties for specified purposes, including, acquiring or constructing specified public facilities and improvements. This bill would, from January 1, 2009, to January 1, 2020, create the California Partnership for the San Joaquin Valley, composed of the heads of specified state agencies and departments, local government members and private sector members, subject to specified criteria, to coordinate and improve existing local, state, and federal efforts for the valley to increase the living standards and the overall economic performance of the valley. This bill contains other related provisions.	02/01/2007- Referred to Com. on J., E.D. & E.	Watch	MPO
AB 29 Hancock	Infill development: incentive grants. Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the	03/06/2007- Re-referred	Watch	Economy

	issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would require certain of those funds, upon appropriation, to be made available to the Department of Housing and Community Development for the purposes of making infrastructure grants for construction or acquisition of capital assets, as defined, to qualifying cities, counties, and cities and counties. The bill would require a project to meet certain, listed criteria in order to be eligible for grant funding .	to Com. on L. GOV. 04/11/07 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT		
AB 33 Jeffries	Income tax credit: school transportation costs. The Personal Income Tax Law authorizes various credits against the taxes imposed by that law. This bill would allow a credit in an amount equal to 20% of the school transportation costs, as defined, paid or incurred by the taxpayer during the taxable year. This bill contains other related provisions.	03/15/2007- Re-referred to Com. on REV. & TAX.	Watch	Economy
		04/16/07 1:30 p.m. - Room 126 ASM REVENUE AND TAXATION		
AB 38 Nava	State agencies: Department of Emergency Services and Homeland Security. Existing law provides for the Office of Homeland Security within the Governor's office. The Governor is required to appoint a Director of Homeland Security to perform specified duties in coordinating all homeland security activities in the state. This bill would delete the provisions of law governing the Office of Homeland Security, establishing the Office of Emergency Services, and providing for the appointment of their respective directors. It would instead establish, under the provisions of the California Emergency Services Act, the Department of Emergency Services and Homeland Security, which would succeed to and be vested with the duties, powers, purposes, responsibilities, and jurisdiction vested with the Office of Homeland Security and the Office of Emergency Services. It would specify that the department would be under the supervision of a Secretary of Emergency Services and Homeland Security appointed by the Governor, who would succeed to and be vested with the duties, powers, purposes, responsibilities, and jurisdiction of the directors of the respective offices. It would additionally set forth the duties and authority of the department and the secretary with respect to specified homeland security activities in the state. It would make various conforming changes. This bill contains other related provisions and other existing laws.	03/26/2007- Re-referred to Com. on G.O. (Refers to 3/28/2007 hearing) 03/28/07 Anticipated Hearing ASM G.O.	Watch	Other
AB 57 Soto	Highways: Safe Routes to School construction program. Existing federal law contains appropriations for a number of programs related to projects for the improvement of highway safety and the reduction of traffic congestion, including	03/26/2007- To APPR. [02/01/2007	Watch	Transportation

	projects for bicycles and pedestrian safety and traffic calming measures in high-hazard locations. Existing state law authorizes certain state and local entities to secure and expend the federal funds for these purposes, but provides for the repeal of these provisions on January 1, 2008. This bill would delete the January 1, 2008, repeal date for these provisions, thereby extending the provisions indefinitely, and would make related changes. This bill contains other existing laws.	Referred to Com. on TRANS.]	Watch	Transportation
AB 60 Nava	Vehicles: bicycles. Under existing law a driver of a vehicle overtaking another vehicle or a bicycle proceeding in the same direction is required to pass to the left at a safe distance without interfering with the safe operation of the overtaken vehicle or bicycle, subject to certain limitations and exceptions. A violation of this provision is an infraction punishable by a fine not exceeding \$100 for a first conviction, and up to a \$250 fine for a 3rd and subsequent conviction occurring within one year of 2 or more prior infractions. This bill would recast this provision as to overtaking a bicycle by requiring the driver of a motor vehicle overtaking a bicycle that is proceeding in the same direction to pass to the left at a safe distance, at a minimum clearance of 3 feet, without interfering with the safe operation of the overtaken bicycle. The bill would make a violation of this provision an infraction punishable by a \$250 fine. The bill would make it a misdemeanor or felony if a person operates a motor vehicle in violation of the above requirement and that conduct proximately causes a significant or substantial physical injury, or death to the bicycle operator. This bill contains other related provisions and other existing laws.	03/06/2007- Re-referred to Com. on TRANS.		
AB 109 Nunez	California Global Warming Solutions Act of 2006: annual report. Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law, the California Global Warming Solutions Act of 2006, designates the state board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020, as specified, and requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions, as specified. This bill would require the state board to report to the Legislature annually on the status and progress of implementing the act.	02/01/2007- Referred to Com. on NAT. RES.	Watch	Air
AB 117 Beall	Traffic offenses: additional assessment: traffic safety. Existing law imposes a base fine, assessments, and other applicable fees and penalties on a person upon a conviction of an offense involving the unsafe operation of a motor vehicle on the highways. This bill would authorize , until January 1, 2013 , Santa Clara County to	03/26/2007- Re-referred to Com. on TRANS.	Watch	Economy

	elect to levy an additional assessment in the amount of \$2 for every \$10 or fraction thereof, upon each base fine, not including other penalty assessments, fees, or additions, imposed and collected by the county for an offense involving the unsafe operation of a motor vehicle upon the highway in violation of the Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code. The bill would require that the collected assessments be deposited in a Traffic Safety Committee Network Fund. The bill would require moneys in the fund, after deducting administrative costs, not to exceed 2 % of the amount of the fund, be allocated in a manner so that 85% be used for local traffic safety programs approved by the county board of supervisors, as specified, and 15% be deposited in the county's Courthouse Construction Fund. The bill would require the Santa Clara County Board of Supervisors, if it establishes a fund, to create a countywide community collaboration committee with specified duties, and to submit an annual report to the Legislature regarding the fund and funded projects.			
<u>AB 118</u> Nunez	Alternative fuels: funding. Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Under existing law, the state board, in conjunction with other state agencies, is required to develop and adopt a state plan to increase the use of alternative fuels, as defined. This bill would declare legislative intent to provide ongoing funding for alternative fuel research, development, and deployment in order to advance the state's leadership in clean technologies, meet the state's clean air and greenhouse gas emission reduction standards, develop public-private partnerships, and ensure a reliable fuel supply.	01/10/2007- From printer. May be heard in committee February 9.	Watch	Air
<u>AB 156</u> Laird	Flood control. The Department of Water Resources performs various flood control activities throughout the state. Existing law also authorizes the Reclamation Board to engage in various flood control activities along the Sacramento River and San Joaquin River, their tributaries, and related areas. Existing law requires the board to establish and enforce standards for the maintenance and operation of, and to undertake other responsibilities with regard to, flood control works under its jurisdiction. This bill would authorize the department to provide meals and other necessary support to any person engaged in emergency flood fight activities, as defined, on behalf of, or in cooperation with, the department. The bill would require the department, on or before December 31, 2008, to prepare, and the board to adopt, a schedule for mapping areas at risk of flooding in the Sacramento River and San Joaquin River drainage. The bill would authorize the board or the department to establish a program of mitigation banking for the activities of the board or the department and for the benefit of local districts in the discharge of specified flood control responsibilities. This bill contains other related provisions and other existing laws.	02/26/2007- Referred to Com. on W.,P. & W. 04/10/07 9 a.m. - Room 437 ASM WATER, PARKS AND WILDLIFE	Watch	Water
<u>AB 157</u> Plescia	Elections: Presidential primary elections. (1) Existing law specifies that the Presidential primary election be held on the first Tuesday	02/27/2007- Re-referred	Watch	Other

	after the first Monday in June in any year evenly divisible by the number 4. Existing law also specifies that the statewide direct primary election be held on the first Tuesday after the first Monday in June of each even-numbered year, and be consolidated with the Presidential primary election in any year in which the statewide direct primary is in a year evenly divisible by the number 4. This bill would instead require that the Presidential primary election be held on the first Tuesday after the first Monday in February in any year evenly divisible by the number 4. The bill would also provide that the February presidential primary not be consolidated with the statewide direct primary election and would make other conforming changes in related statutes. By increasing the duties of local elections officials, the addition of the Presidential primary election in February would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	to Com. on E. & R.	
AB 162 Wolk	Land use: water supply. The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a land use element that designates the proposed general distribution and general location and extent of the uses of the land for various purposes and a conservation element that considers, among other things, the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations, and provides that the conservation element may also cover, among other things, flood control. The bill would require the land use element to identify and annually review those areas covered by the general plan that are subject to flooding as identified by floodplain mapping prepared by the Federal Emergency Management Agency or the Department of Water Resources and would require, upon the next revision of the housing element, on or after January 1, 2008, the conservation element of the general plan to identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management. By imposing new duties on local public officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.	02/26/2007- Referred to Coms. on L. GOV. and W.,P. & W. 04/11/07 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT	Watch Water
AB 224 Wolk	Water supply planning. Under existing law, the Department of Water Resources operates the State Water Project, which includes state water facilities, as defined. This bill would require the department, commencing in 2008, and every 2 years thereafter, to prepare and deliver to all State Water Project contractors, all city and county planning departments, and all regional and metropolitan planning departments within the project service area, a report that accurately sets forth, under a range of hydrologic conditions, the then-existing overall delivery capability of the project facilities and the allocation of that capacity to each contractor. This bill contains other related provisions and other existing laws.	02/26/2007- Referred to Coms. on W.,P. & W. and NAT. RES. 04/10/07 9 a.m. - Room 437 ASM WATER, PARKS AND WILDLIFE	Watch Water

AB 256 Huff	State highway operation and protection program. Existing law requires the Department of Transportation, subject to approval by the California Transportation Commission, to prepare on an every-other-year basis a 4-year state highway operation and protection program, which identifies the expenditure of transportation funds for major capital improvements that are necessary to preserve and protect the state highway system. Other major capital improvements on the state highway system are subject to the project nomination and programming procedures for the state transportation improvement program. This bill, for any fiscal year in which the Budget Bill has not been chaptered on or before July 1 of that fiscal year, would appropriate to the department, from funds in the State Highway Account that are subject to Article XIX of the California Constitution, the amount identified in the state highway operation and protection program for traffic safety projects to be advertised in that fiscal year. The bill would also provide that this appropriation would be superseded by the appropriation for the program in the Budget Bill at the time the Budget Bill is chaptered. This bill contains other existing laws.	03/12/2007- Set, first hearing. Hearing cancelled at the request of author. (Refers to 3/12/2007 hearing) 04/09/07 1:30 p.m. - Room 4202 ASM TRANSPORT ATTION	Watch	Transportation
AB 534 Smyth	Bicycle Transportation Account: funding. Existing law specifies the amounts apportioned monthly from the Highway Users Tax Account in the Transportation Tax Fund to cities and counties and the amounts transferred monthly to the Bicycle Transportation Account in the State Transportation Fund. Existing law requires the sum of \$416,667 to be transferred monthly to the Bicycle Transportation Account from the Highway Users Tax Account. Existing law continuously appropriates the money in the Bicycle Transportation Account. This bill would instead require a monthly transfer of \$1,000,000 to the Bicycle Transportation Account from the Highway Users Tax Account, until the later of January 31, 2012, or the date on which all moneys in the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 have been expended, and would thereafter reduce the monthly transfer to \$416,667. Because this bill would increase the amount of revenue in the Bicycle Transportation Account, it would make an appropriation.	03/01/2007- Referred to Com. on TRANS. 04/09/07 1:30 p.m. - Room 4202 ASM TRANSPORT ATTION	Watch	Transportation
AB 633 Galgiani	Rail Safety and Traffic Mitigation Bond Act of 2007. Existing law requires the Public Utilities Commission to develop and maintain a priority list of railroad-highway grade crossings determined to be most urgently in need of separation or alteration. Existing law requires each annual proposed budget prepared by the Department of Transportation to include \$15,000,000 for grade separation projects. Existing law requires the California Transportation Commission to allocate available funding to projects pursuant to the priority list prepared by the Public Utilities Commission, and requires certain matching funds to be provided from nonstate funds and by the affected railroad. This bill would state the intent of the Legislature to enact legislation providing for a general obligation bond act in the amount of \$500,000,000 to be submitted to the voters for approval in order to provide funding for a program to eliminate the most dangerous railroad-highway grade crossings in the state, as identified by the Public Utilities	02/22/2007- From printer. May be heard in committee March 24.	Watch	Transportation

<u>AB 669</u> Parra	Commission, with funds to be allocated by the California Transportation Commission. The bill would make legislative findings and declarations in that regard. Transportation bonds: State Highway Route 269. Proposition 1B, approved by the voters at the November 2006 general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be deposited in the Transportation Facilities Account, to be available, upon appropriation by the Legislature, for projects in the state transportation improvement program, to augment funds otherwise available for this purpose from other sources. This bill would appropriate an unspecified amount from the Transportation Facilities Account to the Department of Transportation for the design and construction of a specified bridge in the County of Fresno on State Highway Route 269. The bill would require the project to be completed and open for traffic by an unspecified date, and would require the Department of Water Resources to convey real property to the Department of Transportation needed for the project. The bill would enact other related provisions.	03/26/2007- Referred to Coms. on TRANS. and W.,P. & W.	Watch	Transportation
<u>AB 867</u> Davis	Transportation analysis zones. Existing law provides for the designation of transportation planning agencies in regions throughout the state with various transportation planning and other related responsibilities. Existing federal law provides for the designation of metropolitan planning organizations with various planning responsibilities, including certain transportation planning duties. Transportation planning activities of these entities, and in certain cases other entities such as county transportation commissions or authorities, include development of a regional transportation plan and a regional transportation improvement program. This bill would require each metropolitan planning organization and each transportation planning agency, as applicable, serving an area with a population in excess of 300,000, in developing the regional transportation plan, to factor the mobility of low-income and minority residents into its computer analysis of regional transportation analysis zones (TAZs) used to estimate travel behavior and traffic generation as part of the transportation demand model, and to make a direct comparison between low-income and nonlow-income TAZs and between minority and nonminority TAZs. The bill would require the results of the comparison to be published and made available to the public, and to be added as an addendum to the regional transportation plan. Because the bill would impose new requirements on local agencies, it would hereby impose a state-mandated local program. This bill contains other related provisions and other existing laws.	03/22/2007- Referred to Com. on TRANS.	Watch	MPO
<u>AB 901</u> Nunez	Transportation: Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes \$19.925 billion of state general obligation bonds for specified purposes. The act requires that, among other things, a specified amount of the proceeds from those bonds be deposited in the Public Transportation Modernization, Improvement, and Service	02/23/2007- From printer. May be heard in committee March 25.	Watch	Transportation

<u>AB 981</u> Ma	Enhancement Account. This bill would make various findings regarding public transportation and would declare the intent of the Legislature to provide accountability measures in the allocation of those proceeds. High-Speed Rail Authority. Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Under existing law, the authority is composed of 9 members. Existing law requires the authority to elect a chairperson and a vice chairperson to preside in the chairperson's absence. This bill would require the authority to elect one or more vice chairpersons.	03/12/2007- Referred to Com. on TRANS.	Watch	Transportation
<u>AB 1170</u> Krekorian	Transportation bonds. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B at the November 7, 2006, general election, authorizes the issuance of \$19.925 billion in general obligation bonds for various transportation and related purposes. This bill would state the intent of the Legislature to enact provisions governing project eligibility and the application process for certain of the Proposition 1B bond funds.	03/22/2007- Referred to Com. on L. GOV.	Watch	Transportation
<u>AB 1227</u> Gaines	Transportation funding: cities and counties. Proposition 1B, approved by the voters at the November 2006 general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be available for allocation by the Controller, pursuant to formula, to cities and counties for certain road purposes. This bill would state the intent of the Legislature to enact legislation governing the allocation and use of these funds in order to ensure that cities within a bistate compact area that are subject to intense tourism impacts and routine snow removal activities receive due attention to their needs.	03/26/2007- Referred to Com. on NAT. RES.	Watch	Transportation
<u>AB 1228</u> Solorio	Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century. Existing law provides for submission of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the voters for approval at the November 4, 2008, statewide general election. Subject to voter approval, the act would provide for the issuance of \$9.95 billion of general obligation bonds, \$9 billion of which would be available in conjunction with any available federal funds for planning and construction of a high-speed train system pursuant to the business plan of the High-Speed Rail Authority, and \$950 million of which would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. Existing law specifies that the initial segment of the high-speed train system to be constructed is San Francisco to Los Angeles, and also specifies certain maximum express service travel times to be achieved for this and future corridors. This bill would instead provide that Anaheim is to be the southern terminus of the initial segment of the high-speed train system. For the Anaheim-Irvine segment, the bill would provide that no general obligation bond funds shall be available for construction, but that those funds shall	03/22/2007- Referred to Com. on TRANS.	Watch	Transportation

<u>AB 1350</u> Nunez	be available only for eligible planning, environmental, and engineering costs. The bill would make other related changes. Transportation bond funds. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in the Transit System Safety, Security, and Disaster Response Account to be made available, upon appropriation by the Legislature, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems. This bill would state the intent of the Legislature to enact legislation that contains conditions and criteria for allocations from this account.	02/26/2007- Read first time.	Watch	Transportation
<u>AB 1351</u> Levine	Transportation: infrastructure. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in the State-Local Partnership Program Account to be available, upon appropriation by the Legislature, for allocation by the California Transportation Commission. This bill would make various findings regarding transportation infrastructure and funding in California and would state the intent of the Legislature to give priority to self-help counties that have passed local sales tax measures in the State-Local Partnership Program.	02/26/2007- Read first time.	Watch	Transportation
<u>AB 1358</u> Leno	Planning: circulation element: transportation. Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city with specified elements, including a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. This bill would require, commencing January 1, 2009, that the legislative body of a city or county, upon any revision of the circulation element of the general plan, modify the circulation element to specify how this element will provide for the routine accommodation of all users of the highway, defined to include motorists, pedestrians, bicyclists, individuals with disabilities, seniors, and users of public transportation. For this purpose, routine accommodation is defined to mean that, in the planning, design, construction, reconstruction, or operation of highways and other transportation infrastructure, local agencies fully consider and accommodate all users of the highway as needed to provide for reasonably safe and convenient travel. By requiring new duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	03/26/2007- Referred to Com. on L. GOV.	Watch	Transportation
<u>AB 1672</u>	Transportation: infrastructure.	02/26/2007-	Watch	Transportation

Nunez	Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Existing law requires specified moneys in the fund to be deposited in the California Ports Infrastructure, Security, and Air Quality Improvement Account to be available upon appropriation by the Legislature, for certain purposes. Existing law requires \$2,000,000,000 to be transferred from this account to the Trade Corridors Improvement Fund and requires moneys in this fund to be made available, upon appropriation by the Legislature in the annual Budget Bill, for allocation by the California Transportation Commission for infrastructure improvements along specified trade corridors. Existing law also requires \$1,000,000,000 from this account to be made available, upon appropriation by the Legislature, to the State Air Resources Board for emission reductions, not otherwise required by law or regulation, from activities related to the movement of freight along California's trade corridors. This bill would make various findings regarding transportation infrastructure in California and would state the intent of the Legislature to advance certain goals and policies related to the purposes for these moneys in the Highway Safety, Traffic Reduction, Air Quality and Port Security Fund of 2006. This bill contains other existing laws.	Read first time.		
ACA 1 Dymally	Elections: redistricting. The California Constitution requires that each Member of the Senate, Assembly, Congress, and State Board of Equalization be elected from a single-member district. Existing provisions of the California Constitution require the Legislature, in the year following the year in which the federal census is taken at the beginning of each decade, to adjust the boundary lines of the state Senate, Assembly, congressional, and State Board of Equalization districts in accordance with specified standards. This measure would delete these existing requirements, and would instead require the appointment of the Independent Redistricting Commission, composed of 5 members, that would be charged with establishing, by February 28 of each year ending in the number one, congressional, Assembly, Senate, and State Board of Equalization districts of equal population in compliance with the United States Constitution, pursuant to a mapping process for each district in accordance with specified goals. The measure would require the commission to approve a redistricting plan that includes the final maps for all districts. The measure would require the Legislature to adjust the boundaries of the districts of any of these offices for which the commission fails to approve a final map within one year after the deadline for the commission's appointment. This bill contains other related provisions.	12/05/2006- From printer. May be heard in committee January 4.	Watch	Other
ACA 4 Villines	Reapportionment. The California Constitution requires the Legislature, in the year following the year in which the national census is taken at the beginning of each decade, to adjust the boundary lines of the senatorial, Assembly, congressional, and Board of Equalization districts in conformance with specified standards. This measure would repeal these provisions and instead require the Independent Citizens' Commission on Redistricting, to be comprised of an unspecified membership, on or before February 1 of the year following the year in which	12/05/2006- From printer. May be heard in committee January 4.	Watch	Other

	the national census is taken, to adjust the boundary lines of the Senate, Assembly, congressional, and State Board of Equalization districts in conformance with certain standards, prioritized in a certain order consistent with specified federal law.				
<u>ACR 12</u> Parra	Agriculture: frost damage. This measure would request the Public Utilities Commission to cooperate with the state's public utilities in immediately approving advice filings to establish appropriate payment deferral programs for citrus and other affected growers whose crops were destroyed as a result of the cold storms and consequent frost damage that occurred in January 2007. The measure would also request the commission to authorize recovery for the actual administrative costs, with the exception of interest foregone on deferred amounts, and recovery of uncollected deferred amounts incurred by the state's public utilities as a result of this program. Trade corridor improvement: transportation project selection. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19,925,000,000 of state general obligation bonds for specified purposes, including high-priority transportation corridor improvements. This bill would set forth the intent of the Legislature to enact legislation that establishes a process for the selection of transportation projects to be funded from the Trade Corridors Improvement Fund. This bill contains other related provisions and other existing laws. Local agency finance: local tax revenue bonds. Existing law authorizes cities and counties to issue various types of debt instruments, including limited obligation bonds, funded by certain revenue sources, and subject to specified criteria. This bill would authorize qualifying cities and counties to establish sales tax revenue, or STAR, bond districts, and to issue bonds for the financing of projects within those districts pursuant to the provisions of law governing the issuance of limited obligation bonds, subject to specified criteria, including approval by the Treasurer. It would require the city or county to enter into a tax distribution agreement among the city or county, the bond trustee, and the Treasurer, pursuant to which the Treasurer would distribute certain portions of local tax revenues collected by the State Board of Equalization from taxpayers doing business within the STAR bond district, for payment of the principal and interest on the bonds, subject to specified criteria.	02/21/2007- Re-referred to Com. on U. & C.	Watch	Other	
<u>SB 9</u> Lowenthal	Trade corridor improvement: transportation project selection. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19,925,000,000 of state general obligation bonds for specified purposes, including high-priority transportation corridor improvements. This bill would set forth the intent of the Legislature to enact legislation that establishes a process for the selection of transportation projects to be funded from the Trade Corridors Improvement Fund. This bill contains other related provisions and other existing laws. Local agency finance: local tax revenue bonds. Existing law authorizes cities and counties to issue various types of debt instruments, including limited obligation bonds, funded by certain revenue sources, and subject to specified criteria. This bill would authorize qualifying cities and counties to establish sales tax revenue, or STAR, bond districts, and to issue bonds for the financing of projects within those districts pursuant to the provisions of law governing the issuance of limited obligation bonds, subject to specified criteria, including approval by the Treasurer. It would require the city or county to enter into a tax distribution agreement among the city or county, the bond trustee, and the Treasurer, pursuant to which the Treasurer would distribute certain portions of local tax revenues collected by the State Board of Equalization from taxpayers doing business within the STAR bond district, for payment of the principal and interest on the bonds, subject to specified criteria.	01/18/2007- To Com. on RLS.	Watch	Economy	
<u>SB 16</u> Florez	Trade corridor improvement: transportation project selection. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19,925,000,000 of state general obligation bonds for specified purposes, including high-priority transportation corridor improvements. This bill would set forth the intent of the Legislature to enact legislation that establishes a process for the selection of transportation projects to be funded from the Trade Corridors Improvement Fund. This bill contains other related provisions and other existing laws. Local agency finance: local tax revenue bonds. Existing law authorizes cities and counties to issue various types of debt instruments, including limited obligation bonds, funded by certain revenue sources, and subject to specified criteria. This bill would authorize qualifying cities and counties to establish sales tax revenue, or STAR, bond districts, and to issue bonds for the financing of projects within those districts pursuant to the provisions of law governing the issuance of limited obligation bonds, subject to specified criteria, including approval by the Treasurer. It would require the city or county to enter into a tax distribution agreement among the city or county, the bond trustee, and the Treasurer, pursuant to which the Treasurer would distribute certain portions of local tax revenues collected by the State Board of Equalization from taxpayers doing business within the STAR bond district, for payment of the principal and interest on the bonds, subject to specified criteria.	03/26/2007- Set for hearing April 18. 04/18/07 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT 04/25/07 1:30 p.m. - Room 3191 SEN REVENUE AND TAXATION	Watch	Transportation	
<u>SB 19</u> Lowenthal	Trade corridors: projects to reduce emissions: funding. Existing law requires that of the proceeds of bonds issued pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, a specified amount of those deposited in the California Ports Infrastructure, Security, and Air Quality	01/18/2007- To Com. on RLS.	Watch	Transportation	

	Improvement Account in the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006, be made available, upon appropriation by the Legislature and subject to the conditions and criteria contained in a statute enacted by the Legislature, to the State Air Resources Board for certain emission reductions from activities related to the movement of freight along California's trade corridors. This bill would declare the intent of the Legislature to enact legislation that establishes conditions and criteria, as specified, for projects funded under these provisions. This bill contains other related provisions.			
<u>SB 33</u> Simitarian	Vehicles: wireless telephones and mobile service devices. Under existing law, on and after July 1, 2008, it will be an infraction for any person to drive a motor vehicle while using a wireless telephone, unless that telephone is designed and configured to allow hands-free listening and talking operation, and is used in that manner while driving, except as otherwise provided. A violation point is not given for a violation. This bill, on and after July 1, 2008, would prohibit a person under the age of 18 years from driving a motor vehicle while using a wireless telephone equipped with a hands-free device or while using a mobile service device, as defined. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. By creating a new infraction, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	03/19/2007- From committee with author's amendments . Read second time. Amended. Re-referred to committee.	Watch	Other
		03/27/07 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORT ATION AND HOUSING		
<u>SB 45</u> Perata	Transportation funds for capital projects and capital expenditures. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in the Transit System Safety, Security, and Disaster Response Account to be made available, upon appropriation by the Legislature, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems. This bill would state the intent of the Legislature to enact legislation that would establish the application process for allocations from the Transit System Safety, Security, and Disaster Response Account.	01/18/2007- To Com. on RLS.	Watch	Economy

<u>SB 47</u> Perata	Transportation bonds. Proposition 1B, approved by the voters at the November, 2006, general election enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$1 billion for the State-Local Partnership Program, to be allocated by the California Transportation Commission to eligible transportation projects nominated by transportation agencies, subject to appropriation by the Legislature. Existing law requires a dollar for dollar match of local funds for projects funded with these bond funds. This bill would state the intent of the Legislature to enact provisions governing project eligibility, matching fund requirements, and the application process relative to allocation of bond proceeds to the State-Local Partnership Program.	01/18/2007- To Com. on RLS.	Watch	Transportation
<u>SB 59</u> Cogdill	Reliable Water Supply Bond Act of 2008. Under existing law, various bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. This bill would enact the Reliable Water Supply Bond Act of 2008 which, if approved by the voters, would authorize, for purposes of financing a water supply program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$3,950,000,000. The bill would require the Secretary of State to submit the bond act to the voters at the November 4, 2008, statewide general election.	03/20/2007- Set, first hearing. Hearing canceled at the request of author.	Watch	Water
<u>SB 71</u> Florez	Alternative fuels: biodiesel. Existing law requires the State Energy Resources Conservation and Development Commission, in partnership with the State Air Resources Board, to develop and adopt a state plan to increase the use of alternative fuels, as defined. This bill would require all vehicles owned or leased by the State of California, by a city, county, or city and county, or by a mass transit district, that use diesel fuel to instead use B20 biodiesel fuel or a higher blend of biodiesel, as specified. The bill would require the State Air Resources Board to establish a program to implement and monitor these requirements. This bill contains other related provisions and other existing laws.	03/20/2007- Set, first hearing. Hearing canceled at the request of author.	Watch	Air
<u>SB 113</u> Calderon	Elections: presidential primary elections. Existing law specifies that the presidential primary election be held on the first Tuesday after the first Monday in June in any year evenly divisible by the number 4. Existing law also specifies that the statewide direct primary election be held on the first Tuesday after the first Monday in June of each even-numbered year, and be consolidated with the presidential primary election in any year in which the statewide direct primary election is a year evenly divisible by the number 4. This bill would require that the presidential primary election be held on the first Tuesday in February in any year evenly divisible by the number 4. By increasing the duties on county elections officials due to the presidential primary election in February, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	03/15/2007- Chapered by Secretary of State - Chapter No. 2, Statutes of 2007	Watch	Other
<u>SB 114</u> Florez	Disaster relief. Existing law authorizes a county board of supervisors to provide by ordinance for the	03/20/2007- Read second	Watch	Other

reassessment of property that is damaged or destroyed, without fault on the part of the assessee, by a major misfortune or calamity, upon the application of the assessee or upon the action of the county assessor with the board's approval. With respect to certain counties that have adopted reassessment ordinances and have been declared by the Governor to be in a state of emergency as a result of certain events, existing law provides for state allocations of the estimated amounts of the reductions in property tax revenues resulting in certain fiscal years from reassessments under those ordinances. Existing law also continuously appropriates, without regard to fiscal years, moneys in the Special Fund for Economic Uncertainties for purposes of funding these state allocations. This bill would provide for similar state allocations with respect to property tax revenue reductions resulting from a reassessment for damages incurred within the Counties of El Dorado, Fresno, Imperial, Kern, Kings, Madera, Merced, Monterey, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Stanislaus, Tulare, Ventura, and Yuba that were declared by the Governor to be in a state of emergency due to severe freezing conditions that commenced January 11, 2007. This bill contains other related provisions and other existing laws.	Unemployment compensation benefits: freezing weather. Existing law provides that an individual is considered "unemployed" for the purpose of eligibility for unemployment compensation benefits if, for any week of less than full-time work, the wages payable to the individual for that week, when reduced by \$25 or 25% of the wages payable, whichever is greater, do not equal or exceed the individual's unemployment weekly benefit amount. Existing law provides for the calculation of unemployment benefits. This bill would provide that an individual who has been laid off from his or her most recent work or who is unable to commence work at his or her regular or seasonal workplace as a direct result of the freezing weather conditions in January 2007, as specified, shall be considered "unemployed" for the purpose of eligibility for unemployment compensation benefits if the individual worked or was scheduled to commence work in a county specifically designated by the Governor as being in a state of emergency, as provided, and for any week of less than full-time work, the wages payable to the individual for that week, when reduced by \$200, do not equal or exceed the individual's unemployment weekly benefit amount. This bill would require the payment of unemployment compensation to an individual under these circumstances in a weekly amount equal to his or her weekly benefit amount less the amount of wages in excess of \$200 payable for that week, with benefits subject to the regular one-week waiting period. This bill contains other related provisions and other existing laws.	General plans: planning grants and incentives. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 allocates \$580,000,000 for revitalizing communities and making them more sustainable and livable by investing in sound land use planning, local parks, and urban greening, and specifically authorizes \$90,000,000 for planning grants and incentives, as specified, to encourage, among other things, the development of specified regional and local land use plans. The act also requires that these funds be made available
time. To third reading. 03/28/07 11 SEN THIRD READING FILE	03/26/2007 - From committee: Do pass as amended. (Ayes 15. Noes 1.) 03/28/07 2 SEN SECOND READING FILE	03/22/2007 - Withdrawn from committee. Re-referred to Com. on APPR.
SB 116 Maldonado	Watch Other	Water
SB 167 Negrete McLeod	Watch	Water

	upon appropriation by the Legislature. This bill would require the Governor's Office of Planning and Research to administer multiple programs , as specified, to award (1) grants and loans to cities and counties to prepare and adopt general plans, including , among other things, a preference for a grant or loan if one or more criteria are met, (2) loans to cities and counties to prepare and adopt programs to implement city and county general plans, including specific plans, habitat conservation plans, zoning ordinances, and design standards, (3) grants to councils of government to prepare regional blueprint projects, and (4) grants and loans to local agency formation commissions to prepare and adopt municipal service reviews and spheres of influence. The bill would also provide that the funding for the programs under (1), (2), and (4) includes the costs of complying with the California Environmental Quality Act (CEQA). The bill would require the OPR to prepare and adopt regulations for this purpose that meet specified criteria and would require the OPR to cooperate with the Secretary of the Resources Agency in any independent audits of expenditures pursuant to these provisions. This bill contains other related provisions and other existing laws.			
<u>SB 184</u> Alquist	Transportation projects. Existing law authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program, and for which the commission has not made an allocation. Existing law requires these expenditures to be reimbursed by the state, under specified conditions. Existing law limits these provisions to projects advanced for expenditures by an eligible local or regional entity within the 12 months preceding the date the project would otherwise be allocated funding by the commission. This bill would instead limit these provisions to projects advanced for expenditure by an eligible local or regional entity that are programmed in the current fiscal year of the state transportation improvement program, and would make other related changes to authorize future reimbursement allocations.	03/05/2007- Set for hearing March 27.	Watch	Transportation
		03/27/07 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORT ATION AND HOUSING		
<u>SB 204</u> Dutton	Transportation funds. Article XIX of the California Constitution requires the revenues from taxes imposed by the state on motor vehicle fuels to be used for public streets and highways and exclusive public mass transit guideway purposes. Existing law requires the purchase price from the sale of excess real property originally acquired by the state for highway purposes to be paid into the State Treasury to the credit of any fund, available to the Department of Transportation for highway purposes, designated by the California Transportation Commission. This bill would instead require these moneys to be paid into the State Treasury to the credit of the State Highway Account and to be available to the department for highway purposes. This bill contains other related provisions and other existing laws.	03/05/2007- Set for hearing March 27.	Watch	Transportation
		03/27/07 1:30 p.m. - John L. Burton Hearing Room (4203) SEN		

<u>SB 240</u> Florez	San Joaquin Valley Unified Air Pollution Control District. (1) Existing law authorizes air pollution control districts and air quality management districts, except as provided, to levy a fee up to \$2 on motor vehicles, and authorizes the districts to increase this fee up to \$6 if certain conditions are met. This bill would authorize the San Joaquin Valley Unified Air Pollution Control District to increase this fee by not more than \$30 under certain circumstances. The district would also be authorized to impose a surcharge of up to \$300 per year on all stationary, indirect, and areawide sources of air pollution. In addition, the San Joaquin Valley district would be authorized to impose a reasonable emissions fee on any source of air pollution that causes or contributes to a violation of any state or federal ambient air standard for the sole purposes of establishing and implementing programs that the district determines are needed to remediate air pollution harms caused by those sources of air pollution. The district would be required to submit annual audits to the state board and to the Bureau of State Audits, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.	TRANSPORTATION AND HOUSING	Watch	Air
<u>SB 286</u> Dutton	Transportation bonds: implementation. Proposition 1B, approved by the voters at the November 2006, general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be allocated by the Controller to cities and counties, by formula, for local street and road purposes, subject to appropriation by the Legislature. This bill would require the bond funds for local street and road purposes to be allocated by the Controller in 2 cycles that cover 4 years, with the 1st cycle of payments to be made to eligible local agencies not later than January 1, 2008, and the 2nd cycle of payments to be made not later than January 1, 2010, as specified. The bill would also require the Controller to use the population figures from the Department of Finance as of January 1, 2007, in making allocations to cities. The bill would make other related changes.	02/22/2007-To Com. on T. & H.	Watch	Economy
<u>SB 307</u> Dutton	Goods movement. The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be deposited in the Trade Corridors Infrastructure Fund in the California Ports Infrastructure, Security, and Air Quality Improvement Account to be available, upon appropriation by the Legislature, for allocation by the California Transportation Commission to highway system and freight rail system improvements along federally designated trade corridors of national significance. In determining projects eligible for funding, the commission is required to consult the Goods Movement Action Plan prepared by the Business, Transportation and Housing Agency and the California Environmental Protection Agency. This bill would state the intent of the	02/28/2007-To Com. on RLS.	Watch	Transportation

	Legislature to incorporate the Southern California National Freight Gateway Strategy into the Goods Movement Action Plan.			
SB 372 Steinberg	High-speed rail. Existing law creates the High-Speed Rail Authority with various duties and responsibilities relative to the planning and construction of a high-speed train system between Northern and Southern California. Existing law, pursuant to Chapter 44 of the Statutes of 2006, places a \$9.95 billion general obligation bond measure on the November 4, 2008, general election ballot for the purposes of funding construction of a high-speed train system and for other related purposes. This bill would state the intent of the Legislature to commission a study on the economic development potential and the career technical education opportunities that would result from the implementation of the high-speed train project.	02/28/2007- To Com. on RLS.	Watch	Transportation
SB 803 Lowenthal	Transportation enhancement funds: community conservation corps. Existing law states the intent of the Legislature to allocate \$10,000,000 annually to the Environmental Enhancement and Mitigation Program Fund for certain categories of transportation enhancement projects. Existing federal law, as part of the comprehensive surface transportation program, allocates transportation funds to each state for transportation enhancement projects. This bill, with respect to federal funds made available to the state for transportation enhancement projects, would require transportation planning agencies, county transportation commissions or authorities, and congestion management sponsors of eligible projects that give priority in the selection of these projects to the community conservation corps, as defined, or the California Conservation Corps to construct or undertake the project. The bill would provide that a community conservation corps or the California Conservation Corps is eligible to apply for project funds. The bill would authorize these agencies and the Department of Transportation to enter into cooperative agreements, grant agreements, or procurement contracts with community conservation corps pursuant to certain simplified contract requirements. The bill would require the California Transportation Commission, when developing guidelines for the state transportation improvement program and the state highway operations and protection program, to include guidance to encourage the allocation of funds for transportation enhancement projects to community conservation corps and the California Conservation Corps, either as applicants or as partners with applicants. The bill would make related legislative findings and declarations.	03/21/2007- Set for hearing April 17. 04/17/07 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORT ATION AND HOUSING	Watch	Transportation



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MEMORANDUM

DATE: April 5, 2007
TO: Policy Advisory Committee
COG Policy Board
FROM: Tony Boren, Deputy Director
SUBJECT: Regional Clearinghouse Consent Calendar

RECOMMENDATION: Per Board procedure, unless an item is pulled from the Consent Calendar, tacit authorization is given for staff to forward any comment(s) received, or any Committee/Board comment(s) generated as a result of this informational item, to the appropriate agency. It is understood that if in the event any item should be pulled from the consent calendar, discussion and comment by the Committee members and the public will be taken.

DISCUSSION: The Regional Clearinghouse is a process of informing local agencies of federal grant requests, providing an opportunity to comment, and potentially avoid duplication of effort. Clearinghouse items are brought before the Policy Advisory Committee (PAC) and, if appropriate, the Transportation Technical Committee (TTC) for review and comment. Any resulting TTC/PAC comments, and any comments received from other agencies as a result of the Clearinghouse notification process, are noted on a monthly report brought forward to the Fresno COG Policy Board.

COG Policy Board action would be to authorize staff to forward any comments received or any Board comments to the State Clearinghouse and other appropriate agencies. The applicants have been notified of this meeting. While participation by the agency is optional, they have been personally requested to attend the Policy Board meeting in case there should be any questions. It should be noted that if in the event any of these items should be pulled from the consent calendar, that discussion and comment by the Committee/Board members and the public will be taken. *Project Notification and Review Reports* describing these projects are attached.

FUNDING: Proposed funding levels are as shown below:

Project	Applicant	Federal Funds	Other/ Applicant Funds	Total Funds
USDA Rural Development Community - Refurbish Fire Engine	City of Firebaugh	\$27,500	\$22,500	\$50,000
Rural Business Opportunity Grant - Business and Cooperative Program	California State University, Fresno Foundation	\$50,000	\$0	\$50,000
USDA Rural Development Grant - Purchase Fire Fighting Emergency Equipment	City of Laton	\$4,254	\$7,901	\$12,155

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

PROJECT NOTIFICATION AND REVIEW REPORT

Regional Clearinghouse Number: *RCH # 05-2007-115*
Project Title: *USDA Rural Development Grant - Refurbish Fire Engine*
Applicant Agency: *City of Firebaugh*
Contact Person: *John G. Borboa*
Address: *1575 11th Street*
Phone: *559-659-2061*
Federal Catalog #: *10-766*
Status: *New*
Area of Impact: *City of Firebaugh and Madera County*
Federal Funding Agency: *USDA Rural Development*

FUNDING:

\$27,500 Federal
\$22,500 Applicant
\$0 State
\$0 Local
\$0 Other
\$50,000 TOTAL

USDA RURAL DEVELOPMENT GRANT – Refurbish Fire Engine

PROJECT NOTIFICATION AND REVIEW REPORT

Regional Clearinghouse Number: *RCH # 05-2007-116*
Project Title: *Rural Business Opportunities Grant*
Applicant Agency: *California State University, Fresno Foundation*
Contact Person: *Emil Milevoj*
Address: *4910 N. Chestnut Avenue*
Phone: *559-278-2352*
Federal Catalog #: *10-773*
Status: *New*
Area of Impact: *City of Firebaugh and Fresno County*
Federal Funding Agency: *Business and Cooperatives Program*

FUNDING:

\$50,000 Federal
\$0 Applicant
\$0 State
\$0 Local
\$0 Other
\$50,000 TOTAL

Business and Cooperatives Program – Rural Business Opportunities Grant

PROJECT NOTIFICATION AND REVIEW REPORT

Regional Clearinghouse Number: *RCH # 05-2007-117*
Project Title: *USDA Rural Development Grant – Purchase Fire
Fighting Emergency Equipment*
Applicant Agency: *City of Laton*
Contact Person: *Al Martinez*
Address: *P.O. Box 447*
Phone: *559-923-4802*
Federal Catalog #: *10-773*
Status: *New*
Area of Impact: *City of Laton and Madera County*
Federal Funding Agency: *USDA Rural Development*

FUNDING:

\$4,254 Federal
\$1,823 Applicant
\$6,078 State
\$0 Local
\$0 Other
\$12,155 TOTAL

USDA RURAL DEVELOPMENT GRANT – Purchase Fire Fighting Emergency Equipment

If you cannot view the email below, please go to http://www.sjvpartnership.org/e-blast/03_29_07



March 29, 2007

Contact:

Samantha Bauer
(559)977-8196/(559)347-3908

Partnership Board awards \$2.5 million in Seed Grants to transform San Joaquin Valley

The California Partnership for the San Joaquin Valley Board announced today that 15 Seed Grants - totaling \$2.5 million - were awarded to advance the work of the Partnership in turning around the region and improving the economy and quality of life for Valley residents.

"We are pleased with the innovation and level of collaboration that these Seed Grants represent, and we are confident they will jumpstart major work in the region, and bring us closer to achieving the Partnership's objectives," said Sunne Wright McPeak, Seed Grant review committee chair and Partnership board member.

Governor Schwarzenegger and the state Legislature set aside \$2.5 million for the Seed Grants. The Partnership received 106 concept proposals for the Seed Grants, and the board invited 36 organizations to submit full applications, of which 35 organizations submitted.

"We are disappointed we could not fund all of the proposals because they show great promise and value for our Valley," said Connie Conway, Partnership Board chair. "We are committed to working with federal, state and foundation partners to find other funding sources and opportunities."

The board awarded Seed Grants for the following projects:

Advanced Communications Systems

- San Joaquin Valley eHealth Network Project, UC Merced, School of Natural Science (\$225,000)

Air Quality

- Air Quality Education in Environmental Justice Areas, The Maddy Institute (\$225,000)

Economic Development

- Central California Marketing and Cluster Development, CA Central Valley Economic Develop. Corp. (\$225,000)
- Building Angel Investment & Entrepreneurship, Golden Capital Network/Pacific Community Ventures (\$225,000)
- San Joaquin Valley Tourism, Central Valley Tourism Association (\$75,000 challenge grant)

Energy

- Growing Clean Energy Capacity in the SJV, Kings River Conservation District (\$125,000)

Health and Human Services

- Methamphetamine Recovery, Central California Social Welfare Evaluation, Research & Training Center (\$125,000)
- SJV Health Enterprise Zone Project, Central Valley Health Policy Institute (\$125,000)

Workforce Development and Higher Education

- Developing a College-Counseling Access Center, Central Valley Higher Education Consortium (\$200,000)

K-12 Education

- English Learner Leadership & Mentoring Academy, Fresno County Office of Education (\$250,000)

Land Use, Ag & Housing

- Farmland Conservation Model Program, Fresno COG and Great Valley Center (\$200,000)
- Integrating Land and Water Solutions in Tulare Lake Basin, Tulare Basin Wildlife Partners (\$125,000)

Transportation

- Metro Rural Loop Corridor Preservation Feasibility Study, City of Fresno Planning & Development Dept. (\$125,000)

Water

- SJV Regional Water Plans Integration & Recycled Water Usage, CSUF Foundation (\$150,000)
- Sowing Seeds for Community Health, Self-Help Enterprises (\$100,000)

For more information about the Seed Grant proposal review process, contact Allysun Williams at (559) 347-3906 or awilliams@csufresno.edu.

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FRESNO COUNTY RURAL TRANSIT AGENCY

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March 26, 2007

MEMORANDUM

TO: FCRTA Board of Directors;
Member Agency;
COFCG / FCRTA Policy Advisory Committee;
COFCG Transportation Technical Committee;
and
The General Public

FROM:  Jeffrey D. Webster, General Manager

SUBJECT: Adoption of the "Fresno County Rural Transit Agency's Amended Policy for Prohibited Substance Testing Program", (Resolution 2007-01).

ACTION SUMMARY

The Fresno County Rural Transit Agency (FCRTA), as a general public transit operator, is mandated by Federal Law to address and comply with prohibited drug and alcohol testing in order to continue to be an eligible recipient of Federal and State funding.

The FCRTA's current "Policy for Prohibited Substance Testing Program" was adopted for implementation purposes on July 19, 2001, in compliance with previous regulations pertaining to small public transit operators. Since that time the regulations have been amended, and require that we amend our policy to reflect the latest regulations.

Attached for your consideration is a copy of FCRTA's Amended "Policy for Prohibited Substance Testing Program". Following adoption, Staff will conduct In-Service Meetings with all FCRTA Associated Employees to explain the program in depth to them to ensure understanding. Each employee will be issued their own personal reference copy of the Policy.

RECOMMENDATION

The General Manager recommends approval of FCRTA's Amended "Policy for Prohibited Substance Testing Program" by adopting Resolution 2007-01.

Fresno County Rural Transit Agency

**Amended
Policy For Prohibited Substance Testing Program**

*Pursuant to
Federal Regulations by the Federal Transit Administration
State Regulations of the Motor Vehicle Code
and
Local FCRTA Policies*

**Proposed Adopted By Resolution 2007-01
on April 26, 2007
by the FCRTA Board of Directors**

DRUG AND ALCOHOL TESTING POLICY
Fresno County Rural Transit Agency
Adopted on April 26, 2007

A. PURPOSE

- 1) The Fresno County Rural Transit Agency provides public transit and paratransit services for the residents of the Rural Fresno County Area. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, the Fresno County Rural Transit Agency declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.
- 3) Any provisions set forth in this policy that are included under the sole authority of the Fresno County Rural Transit Agency and are not provided under the authority of the above named Federal regulations are underlined.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties the Fresno County Rural Transit Agency employees that do not perform safety-sensitive functions are also covered under this policy under the sole authority of the Fresno County Rural Transit Agency. A safety-sensitive function is operation of mass transit service including the operation of a revenue service vehicle (whether or not the

vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or person controlling the movement of revenue service vehicles and any other transit employee who is required to hold a Commercial Drivers License. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remunerated for service in excess of actual expense.

C. DEFINITIONS

Accident: An occurrence associated with the operation of a vehicle even when not in revenue service in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, mirrors or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device.

91 *Canceled Test:* A drug test that has been declared invalid by a Medical Review
92 Officer. A canceled test is neither positive nor negative.

93
94 *Covered Employee:* An employee who performs a safety-sensitive function
95 including an applicant or transferee who is being considered for hire into a safety-
96 sensitive function (See Attachment A for a list of covered employees), and other
97 employees, applicants, or transferee that will not perform a safety-sensitive
98 function but falls under the policy of the company's own authority.

99
100 *Designated Employer Representative (DER):* An employee authorized by the
101 employer to take immediate action to remove employees from safety-sensitive
102 duties and to make required decisions in testing. The DER also receives test
103 results and other communications for the employer, consistent with the
104 requirements of 49 CFR Parts 40 and 655.

105
106 *Department of Transportation (DOT):* Department of the federal government
107 which includes the, Federal Transit Administration, Federal Railroad
108 Administration, Federal Highway Administration, Federal Motor Carriers' Safety
109 Administration, Research and Special Programs, and the Office of the Secretary
110 of Transportation.

111
112 *Dilute specimen:* A specimen with creatinine and specific gravity values that are
113 lower than expected for human urine.

114
115 *Disabling damage:* Damage which precludes departure of any vehicle from the
116 scene of the occurrence in its usual manner in daylight after simple repairs.
117 Disabling damage includes damage to vehicles that could have been operated
118 but would have been further damaged if so operated, but does not include
119 damage which can be remedied temporarily at the scene of the occurrence
120 without special tools or parts, tire disablement without other damage even if no
121 spare tire is available, or damage to headlights, taillights, turn signals, horn,
122 mirrors or windshield wipers that makes them inoperative.

123
124 *Evidentiary Breath Testing Device (EBT):* A Device approved by the NHTSA for
125 the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations.
126 Approved devices are listed on the National Highway Traffic Safety
127 Administration (NHTSA) conforming products list.

128
129 *Medical Review Officer (MRO):* A licensed physician (medical doctor or doctor of
130 osteopathy) responsible for receiving laboratory results generated by the drug
131 testing program who has knowledge of substance abuse disorders, and has
132 appropriate medical training to interpret and evaluate an individual's confirmed
133 positive test result, together with his/her medical history, and any other relevant
134 bio-medical information.

136 *Negative Dilute:* A drug test result which is negative for the five drug/drug
137 metabolites but has a specific gravity value lower than expected for human urine.

138
139 *Negative test result:* The verified presence of the identified drug or its metabolite
140 below the minimum levels specified in 49 CFR Part 40, as amended. An alcohol
141 concentration of less than 0.02 BAC is a negative test result.

142
143 *Non-negative test result:* A test result found to be adulterated, substitute, invalid,
144 or positive for drug/drug metabolites.

145
146 *Performing (a safety-sensitive function):* A covered employee is considered to be
147 performing a safety-sensitive function and includes any period in which he or she
148 is actually performing, ready to perform, or immediately available to perform such
149 functions.

150
151 *Positive test result:* A verified presence of the identified drug or its metabolite at
152 or above the minimum levels specified in 49 CFR Part 40, as amended. A
153 positive alcohol test result means a confirmed alcohol concentration of 0.04 BAC
154 or greater.

155
156 *Prohibited drug:* Identified as marijuana, cocaine, opiates, amphetamines, or
157 phencyclidine at levels above the minimum thresholds specified in 49 CFR Part
158 40, as amended.

159
160 *Revenue Service Vehicles:* All transit vehicles that are used for passenger
161 transportation service or that require a CDL to operate. Include all ancillary
162 vehicles used in support of the transit system.

163
164 *Safety-sensitive functions:* Employee duties identified as:

- 165 (1) The operation of a transit revenue service vehicle even when the
166 vehicle is not in revenue service.
- 167 (2) The operation of a non-revenue service vehicle by an employee when
168 the operation of such a vehicle requires the driver to hold a
169 Commercial Drivers License (CDL).
- 170 (3) Maintaining a revenue service vehicle or equipment used in revenue
171 service.
- 172 (4) Controlling the movement of a revenue service vehicle and
- 173 (5) Carrying a firearm for security purposes.

174
175 *Substance Abuse Professional (SAP):* A licensed physician (medical doctor or
176 doctor of osteopathy) or licensed or certified psychologist, social worker,
177 employee assistance professional, or addiction counselor (certified by the
178 National Association of Alcoholism and Drug Abuse Counselors Certification
179 Commission or by the International Certification Reciprocity Consortium/Alcohol

and other Drug Abuse) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with normal human urine.

Test Refusal: The following are considered a refusal to test if the employee:

- (1) Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer
- (2) Fails to remain at the testing site until the testing process is complete
- (3) Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations
- (4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen
- (5) Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure
- (6) Fails or declines to take a second test the employer or collector has directed you to take
- (7) Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the "shy bladder" or "shy lung" procedures
- (8) Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
- (9) If the MRO reports that there is verified adulterated or substituted test result
- (10) Failure or refusal to sign Step 2 of the alcohol testing form

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

225
226
227 **D. EDUCATION AND TRAINING**
228

- 229 1) Every covered employee will receive a copy of this policy and will have
230 ready access to the corresponding federal regulations including 49 CFR
231 Parts 655 and 40, as amended. In addition, all covered employees will
232 undergo a minimum of 60 minutes of training on the signs and symptoms
233 of drug use including the effects and consequences of drug use on
234 personal health, safety, and the work environment. The training also
235 includes manifestations and behavioral cues that may indicate prohibited
236 drug use.
237
238 2) All supervisory personnel or company officials who are in a position to
239 determine employee fitness for duty will receive 60 minutes of reasonable
240 suspicion training on the physical, behavioral, and performance indicators
241 of probable drug use and 60 minutes of additional reasonable suspicion
242 training on the physical, behavioral, speech, and performance indicators of
243 probable alcohol misuse. Under the Fresno County Rural Transit
244 Agency's own authority, supervisory personnel will also be trained on how
245 to intervene constructively, and how to effectively integrate an employee
246 back into his/her work group following intervention and/or treatment.
247
248 3) Information on the signs, symptoms, health effects, and consequences of
249 alcohol misuse is presented in Attachment B of this policy.
250

251
252 **E. PROHIBITED SUBSTANCES**
253

- 254 1) Prohibited substances addressed by this policy include the following.
255
256 a. Illegally Used Controlled Substance or Drugs Under the Drug-Free
257 Workplace Act of 1988 any drug or any substance identified in
258 Schedule I through V of Section 202 of the Controlled Substance
259 Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11
260 through 1300.15 is prohibited at all times in the workplace unless a
261 legal prescription has been written for the substance. This
262 includes, but is not limited to: marijuana, amphetamines, opiates,
263 phencyclidine (PCP), and cocaine, as well as any drug not
264 approved for medical use by the U.S. Drug Enforcement
265 Administration or the U.S. Food and Drug Administration. Illegal
266 use includes use of any illegal drug, misuse of legally prescribed
267 drugs, and use of illegally obtained prescription drugs. Also, the
268 medical use of marijuana, or the use of hemp related products, as

which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all covered employees be tested for marijuana, cocaine, amphetamines, opiates, and phencyclidine as described in Section H of this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- a. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Fresno County Rural Transit Agency supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.
- b. Alcohol: The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited. An alcohol test can be performed on a covered employee under 49 CFR Part 655 just before, during, or just after the performance of safety-sensitive job functions. Under the Fresno County Rural Transit Agency authority, an alcohol test can be performed any time a covered employee is on duty.

F. PROHIBITED CONDUCT

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR PART 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline.

- 313 3) The Transit Department shall not permit any covered employee to perform
314 or continue to perform safety-sensitive functions if it has actual knowledge
315 that the employee is using alcohol
316
- 317 4) Each covered employee is prohibited from reporting to work or remaining
318 on duty requiring the performance of safety-sensitive functions while
319 having an alcohol concentration of 0.02 or greater regardless of when the
320 alcohol was consumed.
321
- 322 5) No covered employee shall consume alcohol for eight (8) hours following
323 involvement in an accident or until he/she submits to the post-accident
324 drug/alcohol test, whichever occurs first.
325
- 326 6) No covered employee shall consume alcohol within four (4) hours prior to
327 the performance of safety-sensitive job functions.
328
- 329 7) The Fresno County Rural Transit Agency under its own authority also
330 prohibits the consumption of alcohol all times employee is on duty, or
331 anytime the employee is in uniform.
332
- 333 8) Consistent with the Drug-free Workplace Act of 1988, all Fresno County
334 Rural Transit Agency employees are prohibited from engaging in the
335 unlawful manufacture, distribution, dispensing, possession, or use of
336 prohibited substances in the work place including Transit Department
337 premises and transit vehicles.
338

339 **G. DRUG STATUTE CONVICTION**

340
341
342 Consistent with the Drug Free Workplace Act of 1998, all employees are required
343 to notify the Fresno County Rural Transit Agency management of any criminal
344 drug statute conviction for a violation occurring in the workplace within five days
345 after such conviction. Failure to comply with this provision shall result in
346 disciplinary action as defined in Section Q.10 of this policy.
347

348 **H. TESTING REQUIREMENTS**

- 349
350
351 1) Analytical urine drug testing and breath testing for alcohol will be
352 conducted as required by 49CFR part 40 as amended. All covered
353 employees shall be subject to testing prior to performing safety-sensitive
354 duty, for reasonable suspicion, following an accident, and random as
355 defined in Section K, L, M, and N of this policy, and return to duty/follow-
356 up.
357

- 358 2) All covered employees who have tested positive for drugs or alcohol will
359 be tested prior to returning to duty after completion of the Substance
360 Abuse Professional's recommended treatment program and subsequent
361 release to duty. Follow-up testing will also be conducted following return-
362 to-duty for a period of one to five years, with at least six tests performed
363 during the first year. The duration and frequency of the follow-up testing
364 above the minimum requirements will be at the discretion of the
365 Substance Abuse Professional.
366
- 367 3) A drug test can be performed any time a covered employee is on duty. An
368 alcohol test can be performed just before, during, or after the performance
369 of a safety-sensitive job function. Under the Fresno County Rural Transit
370 Agency authority, an alcohol test can be performed any time a covered
371 employee is on duty.
372
- 373 4) All covered employees will be subject to urine drug testing and breath
374 alcohol testing as a condition of ongoing employment with the Fresno
375 County Rural Transit Agency. Any safety-sensitive employee who refuses
376 to comply with a request for testing shall be removed from duty and
377 subject to discipline as defined in Section Q.3 of this policy. Any covered
378 employee who is suspected of providing false information in connection
379 with a drug test, or who is suspected of falsifying test results through
380 tampering, contamination, adulteration, or substitution will be required to
381 undergo an observed collection. Verification of the above listed actions
382 will be considered a test refusal and will result in the employee's removal
383 from duty and disciplined as defined in Section Q.3 of this policy. Refer to
384 Section C 3 for behavior that constitutes a refusal to test.
385

386 I. DRUG TESTING PROCEDURES

- 388
- 389 1) Testing shall be conducted in a manner to assure a high degree of
390 accuracy and reliability and using techniques, equipment, and laboratory
391 facilities which have been approved by the U.S. Department of Health and
392 Human Service (HHS). All testing will be conducted consistent with the
393 procedures set forth in 49 CFR Part 40, as amended. The procedures will
394 be performed in a private, confidential manner and every effort will be
395 made to protect the employee, the integrity of the drug testing procedure,
396 and the validity of the test result.
397
- 398 2) The drugs that will be tested for include marijuana, cocaine, opiates,
399 amphetamines, and phencyclidine. After the identity of the donor is
400 checked using picture identification, a urine specimen will be collected
401 using the split specimen collection method described in 49 CFR Part 40,
402 as amended. Each specimen will be accompanied by a DOT Chain of

Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the Fresno County Rural Transit Agency Drug and Alcohol Program Manager (DAPM). If a legitimate explanation is found, the MRO will report the test result as negative to the DAPM and no further action will be taken.
- 4) If the test is invalid with out a medical explanation, a retest will be conducted under direct observation.
- 5) Any covered employee who questions the results of a required drug test under paragraphs L through P of this policy may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory with no affiliation with the laboratory that analyzed the primary specimen. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. The Fresno County Rural Transit Agency will ensure that the cost for the split specimen are covered in order for a timely analysis of the sample,

448 however the Fresno County Rural Transit Agency will seek reimbursement
449 for the split sample test from the employee.

450
451 6) If the analysis of the split specimen fails to confirm the presence of the
452 drug(s) detected in the primary specimen, if the split specimen is not able
453 to be analyzed, or if the results of the split specimen are not scientifically
454 adequate, the MRO will declare the original test to be canceled and will
455 direct the Fresno County Rural Transit Agency to retest the employee
456 under direct observation.

457
458 7) The split specimen will be stored at the initial laboratory until the analysis
459 of the primary specimen is completed. If the primary specimen is
460 negative, the split will be discarded. If the primary is positive, the split will
461 be retained for testing if so requested by the employee through the
462 Medical Review Officer. If the primary specimen is positive, it will be
463 retained in frozen storage for one year and the split specimen will also be
464 retained for one year.

465
466 8) Observed collections

467
468 a. Consistent with 49 CFR part 40, as amended, collection under
469 direct observation (by a person of the same gender) with no
470 advance notice will occur if:

471
472 i. The laboratory reports to the MRO that a specimen is invalid,
473 and the MRO reports to the Fresno County Rural Transit
474 Agency that there was not an adequate medical explanation
475 for the result; or

476
477 ii. The MRO reports to the Fresno County Rural Transit Agency
478 that the original positive, adulterated, or substituted test
479 result had to be cancelled because the test of the split
480 specimen could not be performed.

481
482 iii. The collector observes materials brought to the collection
483 site or the employee's conduct clearly indicates an attempt to
484 tamper with a specimen or

485
486 iv. The temperature on the original specimen was out of range.

487
488 9) In addition, the Fresno County Rural Transit Agency may direct a
489 collection under direct observation of an employee if the drug test is a
490 return-to-duty test or a follow-up test.

J. ALCOHOL TESTING PROCEDURES

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). Alcohol screening tests may be performed using a non-evidential testing device which is also approved by NHSTA. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted at least fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.
- 2) An employee who has a confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q.4-5 of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section Q.9 of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) The Transit Department affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

538 **K. PRE-EMPLOYMENT TESTING**

- 539
- 540 1) All applicants for covered transit positions shall undergo urine drug testing
- 541 and breath alcohol testing prior to performance of a safety-sensitive
- 542 function.
- 543 b. All offers of employment for covered positions shall be extended
- 544 conditional upon the applicant passing a drug and alcohol test test.
- 545 An applicant shall not be placed into a safety -sensitive position
- 546 unless the applicant takes a drug test with verified negative results,
- 547 and an alcohol concentration below 0.02.
- 548
- 549 c. A non-covered employee shall not be placed, transferred or
- 550 promoted into a covered position until the employee takes a drug
- 551 test with verified negative results and an alcohol concentration
- 552 below 0.02.
- 553
- 554 d. If an applicant fails a pre-employment drug or alcohol test, the
- 555 conditional offer of employment shall be rescinded. Failure of a
- 556 pre-employment drug and/or alcohol test will disqualify an applicant
- 557 for employment for a period of at least one year. . The applicant
- 558 must provide the employer proof of having successfully completed
- 559 a referral, evaluation and treatment plan as described in section
- 560 655.62 of subpart G. The cost for the assessment and any
- 561 subsequent treatment will be the sole responsibility of the applicant.
- 562
- 563 e. When an employee being placed, transferred, or promoted from a
- 564 non-covered position to a covered position submits a drug test with
- 565 a verified positive result, and/or an alcohol concentration above
- 566 0.04 the employee shall be subject to disciplinary action in
- 567 accordance with Section Q.4-5 and 9 herein.
- 568
- 569 f. If a pre-employment/pre-transfer test is canceled, the Fresno
- 570 County Rural Transit Agency will require the applicant to take and
- 571 pass another pre-employment drug test.
- 572
- 573 g. In instances where a covered employee is on extended leave for a
- 574 period of 90 days or more regardless of reason, and is not in the
- 575 random testing pool the employee will be required to take a drug
- 576 and alcohol test under 49 CFR Part 655 and have negative test
- 577 results prior to the conduct of safety-sensitive job functions.
- 578
- 579 h. An applicant with a dilute negative test result will be required to
- 580 retest.
- 581

- i. Applicants are required to report previous DOT covered employer drug and alcohol test results—Failure to do so will result in the employment offer being rescinded. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer. The applicant must provide the Fresno County Rural Transit Agency proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

- 1) All the Fresno County Rural Transit Agency covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under the Fresno County Rural Transit Agency's authority, a reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) The Fresno County Rural Transit Agency shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q.4-5 and 9 of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q.3 of this policy.
- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the

Fresno County Rural Transit Agency management and shall be attached to the forms reporting the test results.

- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred to the SAP for an assessment. The Fresno County Rural Transit Agency shall place the employee on administrative leave in accordance with the provisions set forth under Section Q.9 of this policy. Testing in this circumstance would be performed under the direct authority of the Fresno County Rural Transit Agency. Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority. However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.9.

M. POST-ACCIDENT TESTING

- 1) All covered employees will be required to undergo urine and breath testing if they are involved in an accident with a transit revenue service vehicle regardless of whether or not the vehicle is in revenue service that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance cannot be completely discounted as a contributing factor to the accident.
- 2) In addition, a post-accident test will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles incurs disabling damage, unless the operator's performance can be completely discounted as a contributing factor to the accident.
 - a. As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.
 - b. The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as

671 practicable, but no longer than eight (8) hours of the accident for
672 alcohol, and within 32 hours for drugs. If an alcohol test is not
673 performed within two hours of the accident, the Supervisor will
674 document the reason(s) for the delay. If the alcohol test is not
675 conducted within (8) eight hours, or the drug test within 32 hours,
676 attempts to conduct the test must cease and the reasons for the
677 failure to test documented.

678
679 c. Any covered employee involved in an accident must refrain from
680 alcohol use for eight (8) hours following the accident, or until he/she
681 undergoes a post-accident alcohol test.

682
683 d. An employee who is subject to post-accident testing who fails to
684 remain readily available for such testing, including notifying a
685 supervisor of his or her location if he or she leaves the scene of the
686 accident prior to submission to such test, may be deemed to have
687 refused to submit to testing.

688
689 e. Nothing in this section shall be construed to require the delay of
690 necessary medical attention for the injured following an accident, or
691 to prohibit an employee from leaving the scene of an accident for
692 the period necessary to obtain assistance in responding to the
693 accident, or to obtain necessary emergency medical care.

694
695 f. In the rare event that the Fresno County Rural Transit Agency is
696 unable to perform an FTA drug and alcohol test (i.e., employee is
697 unconscious, employee is detained by law enforcement agency),
698 the Fresno County Rural Transit Agency may use drug and alcohol
699 post-accident test results administered by local law enforcement
700 officials in lieu of the FTA test. The local law enforcement officials
701 must have independent authority for the test and the employer must
702 obtain the results in conformance with local law.

703 704 705 **N. RANDOM TESTING**

706
707 1) All covered employees will be subjected to random, unannounced testing.
708 The selection of employees shall be made by a scientifically valid method
709 of randomly generating an employee identifier from the appropriate pool of
710 safety-sensitive employees.

711
712 2) The dates for administering unannounced testing of randomly selected
713 employees shall be spread reasonably throughout the calendar year, day
714 of the week and hours of the day.

716 3) The number of employees randomly selected for drug/alcohol testing
717 during the calendar year shall be not less than the percentage rates
718 established by Federal regulations for those safety-sensitive employees
719 subject to random testing by Federal regulations. The current random
720 testing rate for drugs established by FTA equals fifty percent of the
721 number of covered employees in the pool and the random testing rate for
722 alcohol established by FTA equals ten percent of the number of covered
723 employees in the pool.

724
725 4) Each covered employee shall be in a pool from which the random
726 selection is made. Each covered employee in the pool shall have an
727 equal chance of selection each time the selections are made. Employees
728 will remain in the pool and subject to selection, whether or not the
729 employee has been previously tested. There is no discretion on the part
730 of management in the selection.

731
732 5) Covered transit employees that fall under the Federal Transit
733 Administration regulations will be included in one random pool maintained
734 separately from the testing pool of employees that are included solely
735 under the Fresno County Rural Transit Agency authority.

736
737 6) Random tests can be conducted at any time during an employee's shift for
738 drug testing. Alcohol random tests can be performed just before, during,
739 or just after the performance of a safety sensitive duty. However, under
740 the Fresno County Rural Transit Agency's authority, a random alcohol test
741 may be performed any time the covered employee is on duty. Testing can
742 occur during the beginning, middle, or end of an employee's shift.

743
744 7) Employees are required to proceed immediately to the collection site upon
745 notification of their random selection.

746 747 748 **O. RETURN-TO-DUTY TESTING**

749
750 All covered employees who previously tested positive on a drug or alcohol test or
751 refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or
752 both and be evaluated and released by the Substance Abuse Professional before
753 returning to work. For an initial positive drug test a Return-to-Duty drug test is
754 required and an alcohol test is allowed. For an initial positive alcohol test a
755 Return-to-Duty alcohol test is required and a drug test is allowed. Following the
756 initial assessment, the SAP will recommend a course of rehabilitation unique to
757 the individual. The SAP will recommend the return-to-duty test only when the
758 employee has successfully completed the treatment requirement and is known to
759 be drug and alcohol-free and there are no undo concerns for public safety.

761
762 **P. FOLLOW-UP TESTING**
763

764 Covered employees will be required to undergo frequent, unannounced drug
765 and/or alcohol testing following their return-to-duty. The follow-up testing will be
766 performed for a period of one to five years with a minimum of six tests to be
767 performed the first year. The frequency and duration of the follow-up tests
768 (beyond the minimums) will be determined by the SAP reflecting the SAP's
769 assessment of the employee's unique situation and recovery progress. Follow-
770 up testing should be frequent enough to deter and/or detect a relapse. Follow-up
771 testing is separate and in addition to the random, post-accident, reasonable
772 suspicion and return-to-duty testing.
773

774
775 **Q. RESULT OF DRUG/ALCOHOL TEST**
776

- 777 1) Any covered employee that has a verified positive drug or alcohol test will
778 be removed from his/her safety-sensitive position, informed of educational
779 and rehabilitation programs available, and referred to a Substance Abuse
780 Professional (SAP) for assessment. No employee will be allowed to return
781 to duty requiring the performance of safety-sensitive job functions without
782 the approval of the SAP and the employer.
783
- 784 2) A drug test with the result of negative dilute will/will not be retested.
785
- 786 3) A positive drug and/or alcohol test will also result in disciplinary action as
787 specified herein. *
- 788
- 789 a. As soon as practicable after receiving notice of a verified
790 positive drug test result, a confirmed alcohol test result, or a test
791 refusal, the Fresno County Rural Transit Agency Drug and
792 Alcohol Program Manager will contact the employee's
793 supervisor to have the employee cease performing any safety-
794 sensitive function.
- 795 b. The employee shall be referred to a Substance Abuse
796 Professional for an assessment. The SAP will evaluate each
797 employee to determine what assistance, if any, the employee
798 needs in resolving problems associated with prohibited drug use
799 or alcohol misuse.
- 800 c. Refusal to submit to a drug/alcohol test shall be considered a
801 positive test result and a direct act of insubordination and shall
802 result in termination. A test refusal includes the following
803 circumstances:

- 804 (1) A covered employee who consumes alcohol within eight
805 (8) hours following involvement in an accident without
806 first having submitted to post-accident drug/alcohol tests.
- 807 (2) A covered employee who leaves the scene of an
808 accident without a legitimate explanation prior to
809 submission to drug/alcohol tests.
- 810 (3) A covered employee who provides false information in
811 connection with a drug test.
- 812 (4) A covered employee who provides an insufficient volume
813 of urine specimen or breath sample without a valid
814 medical explanation. The medical evaluation shall take
815 place within 5 days of the initial test attempt
- 816 (5) A verbal or written declaration, obstructive behavior, or
817 physical absence resulting in the inability to conduct the
818 test within the specified time frame.
- 819 (6) A covered employee whose urine sample has been
820 verified by the MRO as substitute or adulterated.
- 821 (7) A covered employee fails to appear for any test within a
822 reasonable time, as determined by the employer, after
823 being directed to do so by the employer
- 824 (8) A covered employee fails to remain at the testing site
825 until the testing process is complete;
- 826 (9) A covered employee fails to provide a urine specimen for
827 any drug test required by Part 40 or DOT agency
828 regulations;
- 829 (10) A covered employee fails to permit the observation or
830 monitoring of a specimen collection
- 831 (11) A covered employee fails or declines to take a second
832 test the employer or collector has directed you to take;
- 833 (12) A covered employee fails to undergo a medical
834 examination or evaluation, as directed by the MRO as
835 part of the verification process, or as directed by the DER
836 as part of the "shy bladder" or "shy lung" procedures
- 837 (13) A covered employee fails to cooperate with any part of
838 the testing process (e.g., refuse to empty pockets when
839 so directed by the collector, behave in a confrontational
840 way that disrupts the collection process).
- 841 (14) Failure to sign Step 2 of the Alcohol Testing form
- 842
- 843 4) For the first instance of a verified positive test from a sample submitted as
844 the result of a random, drug/alcohol test (≥ 0.04 BAC), disciplinary action
845 against the employee shall include:
- 846 a. Mandatory referral to Substance Abuse Professional for
847 assessment, formulation of a treatment plan, and execution of a
848 return to work agreement;

b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from the Fresno County Rural Transit Agency employment.

i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; in the judgment of the SAP the employee is cooperating with his/her SAP recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy.

c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination.

d. A periodic unannounced follow-up drug/alcohol test which results in a verified positive shall result in termination from the Fresno County Rural Transit Agency employment.

5) The second instance of a verified positive drug or alcohol (≥ 0.04 BAC) test result including a sample submitted under the random, reasonable suspicion, return-to-duty, or follow-up drug/alcohol test provisions herein shall result in termination from the Fresno County Rural Transit Agency employment.

6) A verified positive post-accident, or reasonable suspicion drug and/or alcohol (≥ 0.04) test shall result in termination.

7) An alcohol test result of ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder or the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to an alcohol test with a result of less than 0.02 BAC. If the employee has an alcohol test result of ≥ 0.02 to ≤ 0.039 two or more times within a six month period, the employee will be removed from duty and referred to the SAP for assessment and treatment consistent with Section Q.9 of this policy.

8) The cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider. The employee will be permitted to take accrued sick leave or administrative leave to participate in the SAP prescribed treatment program. If the employee has insufficient accrued leave, the employee shall be placed on leave without pay until the SAP has determined that the employee has successfully completed the required treatment program and releases him/her to return-to-duty. Any leave taken, either paid or unpaid, shall be considered leave taken under the Family and Medical Leave Act.

894
895 9) In the instance of a self-referral or a management referral, disciplinary
896 action against the employee shall include:

- 897
898 a. Mandatory referral to a Substance Abuse Professional for
899 assessment, formulation of a treatment plan, and execution of a
900 return to work agreement;
901 b. Failure to execute, or remain compliant with the return-to-work
902 agreement shall result in termination from the Fresno County Rural
903 Transit Agency employment.
904 i. Compliance with the return-to-work agreement means that
905 the employee has submitted to a drug/alcohol test
906 immediately prior to returning to work; the result of that test
907 is negative; in the judgment of the SAP the employee is
908 cooperating with his/her SAP recommended treatment
909 program; and, the employee has agreed to periodic
910 unannounced follow-up testing as defined in Section P of
911 this policy.
912 c. Refusal to submit to a periodic unannounced follow-up drug/alcohol
913 test shall be considered a direct act of insubordination and shall
914 result in termination.
915 d. A self-referral or management referral to the SAP that was not
916 precipitated by a positive test result does not constitute a violation
917 of the Federal regulations and will not be considered as a positive
918 test result in relation to the progressive discipline defined in Section
919 Q.4-5 of this policy.
920 e. Periodic unannounced follow-up drug/alcohol test conducted as a
921 result of a self-referral or management referral which results in a
922 verified positive shall be considered a positive test result in relation
923 to the progressive discipline defined in Section Q.4-5 of this policy.
924 f. A Voluntary Referral does not shield an employee from disciplinary
925 action or guarantee employment with the Fresno County Rural
926 Transit Agency.
927 g. A Voluntary Referral does not shield an employee from the
928 requirement to comply with drug and alcohol testing.

929
930 10) Failure of an employee to report within five days a criminal drug statute
931 conviction for a violation occurring in the workplace shall result in
932 termination.
933
934
935
936
937
938

939 **R. GRIEVANCE AND APPEAL**

940
941 The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test
942 refusal is not subject to arbitration.
943

944
945 **S. PROPER APPLICATION OF THE POLICY**

946
947 The Fresno County Rural Transit Agency is dedicated to assuring fair and
948 equitable application of this substance abuse policy. Therefore,
949 supervisors/managers are required to use and apply all aspects of this policy in
950 an unbiased and impartial manner. Any supervisor/manager who knowingly
951 disregards the requirements of this policy, or who is found to deliberately misuse
952 the policy in regard to subordinates, shall be subject to disciplinary action, up to
953 and including termination.
954

955
956 **T. INFORMATION DISCLOSURE**

- 957
958 1) Drug/alcohol testing records shall be maintained by the Fresno County
959 Rural Transit Agency Drug and Alcohol Program Manager and, except as
960 provided below or by law, the results of any drug/alcohol test shall not be
961 disclosed without express written consent of the tested employee.
962
963 2) The employee, upon written request, is entitled to obtain copies of any
964 records pertaining to their use of prohibited drugs or misuse of alcohol
965 including any drug or alcohol testing records. Covered employees have
966 the right to gain access to any pertinent records such as equipment
967 calibration records, and records of laboratory certifications. Employees
968 may not have access to SAP referrals and follow-up testing plans.
969
970 3) Records of a verified positive drug/alcohol test result shall be released to
971 the Drug and Alcohol Program Manager, Department Supervisor and
972 Personnel Manager on a need to know basis.
973
974 4) Records will be released to a subsequent employer only upon receipt of a
975 written request from the employee.
976
977 5) Records of an employee's drug/alcohol tests shall be released to the
978 adjudicator in a grievance, lawsuit, or other proceeding initiated by or on
979 behalf of the tested individual arising from the results of the drug/alcohol
980 test. The records will be released to the decision maker in the preceding.
981 The information will only be released with binding stipulation from the
982 decision maker will make it available only to parties in the preceding.

Records will be released to the National Transportation Safety Board during an accident investigation.

- 6) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 7) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 8) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over the Fresno County Rural Transit Agency or the employee.
- 9) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended necessary legal steps to contest the issuance of the order will be taken
- 10) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the Fresno County Rural Transit Agency's Board of Directors on April 26, 2007.

*Attest: Jeffrey D. Webster, General Manager
Fresno County Rural Transit Agency
April 26, 2007 – Resolution 2007-01*

SYSTEM CONTACTS

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

The Fresno County Rural Transit Agency's Drug and Alcohol Program Manager

Name: Jeffrey D. Webster

Title: General Manager

Address: 2035 Tulare Street, Suite 201; Fresno, CA 93721

Telephone Number: 559-233-6789 Fax Number: 559-233-9645

Drug and Alcohol Program – Third Party Administrator

Name: Jill Craig

Title: President / Owner / Third Party Administrator

Address: DrugTech Toxicology Service LLC; PO Box 156; Ahwahnee, CA 93601

Telephone: 800-362-0614 Fax Number: 209-966-6453

Medical Review Officer

Name: Dr. W.N. Mansour, MD

Title: Medical Doctor, Medical Review Officer

Address: ISSI 810 Broadman – Canfield Road; Boardman, OH 44515

Telephone Number: 330-925-2500 Fax Number: 330-965-2501

Substance Abuse Professional

Name: Pam Hawkins,

Title: Substance Abuse Professional (SAP), ICRC / AODA

Address: Oakhurst Counseling Center; 49774 Road 426; Suite "D"; Oakhurst, CA 93644

Telephone Number: 559-683-4809 or 800-359-6939

HHS Certified Laboratory Primary Specimen

Name: Advanced Toxicology Network

Address: 3560 Air Center Cove, Suite 101; Memphis, TN 38118

Telephone Number: 888-290-1150 Fax Number: 901-794-6460

HHS Certified Laboratory Split Specimen

Name: Medtox Laboratories, Inc.

Address: 402 West County Road; St. Paul, MN 55112

Telephone Number: 800-832-3244 Fax Number: 651-636-8284

Attachment A

—Covered “Safety-Sensitive” Classifications

1065

1066

1067

1068

1069

Title

Testing Authority

1070

Transit Supervisor / Coordinator

FTA

1071

Driver

FTA

1072

Dispatcher

FTA

1073

Mechanic

FTA

1074

Attachment B
Alcohol Fact Sheet

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

Signs and Symptoms of Use

- . Dulled mental processes
- . Lack of coordination
- . Odor of alcohol on breath
- . Possible constricted pupils
- . Sleepy or stuporous condition
- . Slowed reaction rate
- . Slurred speech

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

☐ **Health Effects**

The chronic consumption of alcohol (average of three servings per day of beer [12 ounces], whiskey [1 ounce], or wine [6 ounce glass]) over time may result in the following health hazards:

- . Decreased sexual functioning
- . Dependency (up to 10 percent of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed "alcoholic")
- . Fatal liver diseases
- . Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- . Kidney disease
- . Pancreatitis
- . Spontaneous abortion and neonatal mortality
- . Ulcers
- . Birth defects (up to 54 percent of all birth defects are alcohol related).

☐ **Social Issues**

1119 . Two-thirds of all homicides are committed by people who drink prior to
1120 the crime.
1121 . Two to three percent of the driving population is legally drunk at any
1122 one time. This rate is doubled at night and on weekends.
1123 . Two-thirds of all Americans will be involved in an alcohol-related
1124 vehicle accident during their lifetimes.
1125 . The rate of separation and divorce in families with alcohol dependency
1126 problems is 7 times the average.
1127 . Forty percent of family court cases are alcohol problem related.
1128 . Alcoholics are 15 times more likely to commit suicide than are other
1129 segments of the population.
1130 . More than 60 percent of burns, 40 percent of falls, 69 percent of
1131 boating accidents, and 76 percent of private aircraft accidents are
1132 alcohol related.

1133
1134 ☐ The Annual Toll

1135
1136 . 24,000 people will die on the highway due to the legally impaired
1137 driver.
1138 . 12,000 more will die on the highway due to the alcohol-affected driver.
1139 . 15,800 will die in non-highway accidents.
1140 . 30,000 will die due to alcohol-caused liver disease.
1141 . 10,000 will die due to alcohol-induced brain disease or suicide.
1142 . Up to another 125,000 will die due to alcohol-related conditions or
1143 accidents.

1144
1145 ☐ Workplace Issues

1146
1147 . It takes one hour for the average person (150 pounds) to process one
1148 serving of an alcoholic beverage from the body.
1149 . Impairment in coordination and judgement can be objectively
1150 measured with as little as two drinks in the body.
1151 . A person who is legally intoxicated is 6 times more likely to have an
1152 accident than a sober person.

1153
1154
1155

Attachment C
Minimum Thresholds

1156
1157
1158

INITIAL TEST CUTOFF LEVELS
(ng/ml)

Marijuana metabolites	50
Cocaine metabolites	300
Opiate metabolites	2,000
Phencyclidine	25
Amphetamines	1,000

1159
1160
1161

CONFIRMATORY TEST
CUT/OFF LEVELS (ng/ml)

Marijuana metabolites	15
Cocaine metabolites	150
Opiates:	
Morphine	2,000
Codeine	2,000
Phencyclidine	25
Amphetamines:	
Amphetamines	500
Methamphetamine	500

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1166

BEFORE THE
FRESNO COUNTY RURAL TRANSIT AGENCY
RESOLUTION NO. 2007-01

In the Matter of:)
Drugs and Alcohol Testing)

RESOLUTION ADOPTING THE
AMENDED POLICY FOR PROHIBITED
SUBSTANCE ABUSE TESTING

WHEREAS, the Fresno County Rural Transit Agency (FCRTA) has prepared an amended comprehensive Policy for Prohibited Substance Abuse Testing to respond to the latest Federal Mandates through the Federal Transit Administration (FTA) for and in behalf of the United States Department of Transportation (USDOT); and

WHEREAS, the Laws and subsequent regulations may be referenced as 49 Code of Federal Regulations (CFR) as Part 655, as amended, and Part 40, as amended that sets revised standards for the collection and testing of urine and breath specimens; and

WHEREAS, Staff has worked diligently with the Staffs of the Federal Transit Administration (FTA), the California Department of Transportation (CalTrans), the Staff of the California Association for Coordinated Transportation (CalACT) through the implementation of the Rural Transit Assistance Program (RTAP) to facilitate nationally recognized Consultants to assist us in responding to recent changes in the regulations; and

WHEREAS, Staff has prepared comprehensive changes to amend our previously adopted July 19, 2001 Policy for Prohibited Substance Testing Program; and

WHEREAS, said document is to be approved by the Board of Directors, following an expressed opportunity for public comment.

NOW, THEREFORE BE IT RESOLVED, that the Fresno County Rural Transit Agency does hereby adopt amendments to its updated Policy for Prohibited Substance Testing Program.

THE FOREGOING RESOLUTION was passed and adopted by the Fresno County Rural Transit Agency this 26th day of April, 2007.

(RESOLUTION NO. 2007-01, Continued)

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed: Trinidad Rodriguez, Chairman

I hereby certify that the foregoing
is a true copy of a resolution of
the Fresno County Rural Transit
Agency duly adopted at a meeting
thereof held on the 26th day of
April, 2007.

Signed: Jeffrey D. Webster, General Manager