



July 21, 2023

## The RTPA Role in Distributing New Transit Capital (and Operations) Funding in FY 23-24 State Budget

The State's Fiscal Year 23-24 Budget includes significant new funding for transit capital that may also be applied to cover transit operational needs on a region-by-region basis. Over \$5 Billion in funds will be allocated directly to Regional Transportation Planning Agencies for these purposes through a formula Transit and Intercity Rail Capital Program (TIRCP) and a new Zero Emission Transit Capital Program (ZETCP). Accompanying this funding, however, are obligations to conduct financial and transit service quality analysis that will be new to most RTPAs. This Policy Brief is meant to provide a quick overview of what is in the budget, how much will be allocated to each RTPA, and what issues still need to be addressed. We welcome your input.

### A. CAPITAL FUNDING PROGRAM OVERVIEW

- **TIRCP + ZETCP = \$5.1 Billion!** Together, the two capital programs provide \$5.1 billion over four years (but most allocated in the next two years). There is \$4 billion for a regional Transit & Intercity Rail Capital Program (TIRCP) and \$1.1 billion for a new Zero Emission Transit Capital Program (ZETCP).
- **With Option to Use Funds for Transit Operating Costs.** An RTPA may opt to use all or any portion of the funds from either program for transit operating expenses consistent with an approved regional short-term financial plan or a long-term financial plan (see below). The Legislature's goal is to provide those regions that need it with a one-time multiyear bridge funding to address operational costs until long-term transit sustainability solutions are identified. Funds can be used to prevent service cuts and increase ridership; prioritize the availability of transit for riders who are transit dependent; and to prioritize transit agencies representing a significant percentage of the region's ridership.
- **Formula Allocations Coming to an RTPA Near You!** The TIRCP funding will be allocated to the 49 eligible RTPAs each year under the following formula: each agency to receive \$300,000 "off the top" with the remainder allocated by population as provided by Public Utilities Code § 99313. The ZETCP funding will be allocated half by population and half by revenue as provided by PUC § 99312.1(a). Our estimated **funding allocations for each RTPA are on the next page**. (Note that these are not official allocations, just our best guess based on the formulas and past practice).

### CALCOG's Estimate of Funding Allocations for TIRCP and ZETCP Programs

RTPA		TIRCP FY 23-24 \$ 2,000,000,000	TIRCP FY 24-25 \$ 2,000,000,000	ZETCP FY 23-24 \$ 410,000,000	ZETCP FY 24-25 \$ 230,000,000	ZETCP FY 25-26 \$ 230,000,000	ZETCP FY 26-27 \$ 230,000,000	TIRCP + ZETCP Total RTPA
1	MTC Bay Area	\$384,225,402	\$384,225,402	\$ 149,492,128	\$ 83,861,438	\$ 83,861,438	\$ 83,861,438	\$ 1,169,527,245
2	Alpine	\$360,217	\$360,217	\$ 6,680	\$ 3,747	\$ 3,747	\$ 3,747	\$ 738,356
3	Amador	\$2,326,077	\$2,326,077	\$ 216,555	\$ 121,482	\$ 121,482	\$ 121,482	\$ 5,233,155
4	Butte	\$10,756,241	\$10,756,241	\$ 1,138,142	\$ 638,470	\$ 638,470	\$ 638,470	\$ 24,566,035
5	Calaveras	\$2,583,069	\$2,583,069	\$ 238,606	\$ 133,852	\$ 133,852	\$ 133,852	\$ 5,806,299
6	Colusa	\$1,407,255	\$1,407,255	\$ 119,404	\$ 66,983	\$ 66,983	\$ 66,983	\$ 3,134,863
7	Del Norte	\$1,652,803	\$1,652,803	\$ 147,050	\$ 82,491	\$ 82,491	\$ 82,491	\$ 3,700,131
8	El Dorado	\$9,912,691	\$9,912,691	\$ 1,054,868	\$ 591,755	\$ 591,755	\$ 591,755	\$ 22,655,516
9	Fresno	\$51,744,014	\$51,744,014	\$ 6,270,636	\$ 3,517,674	\$ 3,517,674	\$ 3,517,674	\$ 120,311,685
10	Glenn	\$1,756,404	\$1,756,404	\$ 154,671	\$ 86,767	\$ 86,767	\$ 86,767	\$ 3,927,779
11	Humboldt	\$7,117,521	\$7,117,521	\$ 821,884	\$ 461,057	\$ 461,057	\$ 461,057	\$ 16,440,097
12	Imperial	\$9,428,003	\$9,428,003	\$ 1,031,909	\$ 578,876	\$ 578,876	\$ 578,876	\$ 21,624,543
13	Inyo	\$1,261,035	\$1,261,035	\$ 99,235	\$ 55,669	\$ 55,669	\$ 55,669	\$ 2,788,312
14	Kern	\$46,453,489	\$46,453,489	\$ 5,057,036	\$ 2,836,874	\$ 2,836,874	\$ 2,836,874	\$ 106,474,636
15	Kings	\$7,980,652	\$7,980,652	\$ 824,961	\$ 462,783	\$ 462,783	\$ 462,783	\$ 18,174,615
16	Lake	\$3,697,393	\$3,697,393	\$ 368,764	\$ 206,867	\$ 206,867	\$ 206,867	\$ 8,384,153
17	Lassen	\$1,738,043	\$1,738,043	\$ 155,216	\$ 87,072	\$ 87,072	\$ 87,072	\$ 3,892,520
18	Los Angeles	\$496,747,176	\$496,747,176	\$ 119,168,466	\$ 66,850,603	\$ 66,850,603	\$ 66,850,603	\$ 1,313,214,629
19	Madera	\$8,343,278	\$8,343,278	\$ 857,946	\$ 481,287	\$ 481,287	\$ 481,287	\$ 18,988,364
20	Mariposa	\$1,161,300	\$1,161,300	\$ 91,564	\$ 51,365	\$ 51,365	\$ 51,365	\$ 2,568,261
21	Mendocino	\$4,834,808	\$4,834,808	\$ 502,724	\$ 282,016	\$ 282,016	\$ 282,016	\$ 11,018,389
22	Merced	\$14,812,007	\$14,812,007	\$ 1,569,895	\$ 880,673	\$ 880,673	\$ 880,673	\$ 33,835,927
23	Modoc	\$733,676	\$733,676	\$ 48,655	\$ 27,294	\$ 27,294	\$ 27,294	\$ 1,597,891
24	Mono	\$969,103	\$969,103	\$ 170,727	\$ 95,774	\$ 95,774	\$ 95,774	\$ 2,396,256
25	Monterey	\$22,188,165	\$22,188,165	\$ 2,966,850	\$ 1,664,331	\$ 1,664,331	\$ 1,664,331	\$ 52,336,173
26	Nevada	\$5,422,537	\$5,422,537	\$ 553,857	\$ 310,700	\$ 310,700	\$ 310,700	\$ 12,331,033
27	Orange	\$159,853,601	\$159,853,601	\$ 22,405,800	\$ 12,569,107	\$ 12,569,107	\$ 12,569,107	\$ 379,820,325
28	Placer	\$21,167,778	\$21,167,778	\$ 2,392,582	\$ 1,342,180	\$ 1,342,180	\$ 1,342,180	\$ 48,754,678
29	Plumas	\$1,266,121	\$1,266,121	\$ 115,128	\$ 64,584	\$ 64,584	\$ 64,584	\$ 2,841,122
30	Riverside	\$124,357,451	\$124,357,451	\$ 14,896,853	\$ 8,356,771	\$ 8,356,771	\$ 8,356,771	\$ 288,682,068
31	Sacramento	\$100,744,956	\$100,744,956	\$ 13,924,633	\$ 7,811,379	\$ 7,811,379	\$ 7,811,379	\$ 238,848,683
32	San Benito	\$3,639,719	\$3,639,719	\$ 350,304	\$ 196,512	\$ 196,512	\$ 196,512	\$ 8,219,278
33	San Bernardino	\$111,277,588	\$111,277,588	\$ 13,879,567	\$ 7,786,099	\$ 7,786,099	\$ 7,786,099	\$ 259,793,038
34	San Diego (Not MTS)	\$48,261,380	\$48,261,380	\$ 6,173,566	\$ 3,463,220	\$ 3,463,220	\$ 3,463,220	\$ 113,085,987
35	San Diego (MTS)	\$118,635,691	\$118,635,691	\$ 17,246,818	\$ 9,675,044	\$ 9,675,044	\$ 9,675,044	\$ 283,543,332
36	San Joaquin	\$40,282,693	\$40,282,693	\$ 5,057,317	\$ 2,837,031	\$ 2,837,031	\$ 2,837,031	\$ 94,133,798
37	San Luis Obispo	\$14,456,552	\$14,456,552	\$ 1,562,741	\$ 876,660	\$ 876,660	\$ 876,660	\$ 33,105,824
38	Santa Barbara	\$22,706,370	\$22,706,370	\$ 2,901,177	\$ 1,627,490	\$ 1,627,490	\$ 1,627,490	\$ 53,196,386
39	Santa Cruz	\$13,627,700	\$13,627,700	\$ 2,631,639	\$ 1,476,285	\$ 1,476,285	\$ 1,476,285	\$ 34,315,896
40	Shasta	\$9,425,969	\$9,425,969	\$ 991,204	\$ 556,041	\$ 556,041	\$ 556,041	\$ 21,511,265
41	Sierra	\$462,393	\$462,393	\$ 17,408	\$ 9,766	\$ 9,766	\$ 9,766	\$ 971,492
42	Siskiyou	\$2,514,816	\$2,514,816	\$ 238,464	\$ 133,772	\$ 133,772	\$ 133,772	\$ 5,669,413
43	Stanislaus	\$28,066,012	\$28,066,012	\$ 3,030,401	\$ 1,699,981	\$ 1,699,981	\$ 1,699,981	\$ 64,262,367
44	Tahoe RPA	\$5,131,622	\$5,131,622	\$ 531,302	\$ 298,047	\$ 298,047	\$ 298,047	\$ 11,688,689
45	Tehama	\$3,568,771	\$3,568,771	\$ 344,533	\$ 193,274	\$ 193,274	\$ 193,274	\$ 8,061,897
46	Trinity	\$1,110,645	\$1,110,645	\$ 86,449	\$ 48,496	\$ 48,496	\$ 48,496	\$ 2,453,226
47	Tulare	\$24,461,367	\$24,461,367	\$ 2,757,890	\$ 1,547,109	\$ 1,547,109	\$ 1,547,109	\$ 56,321,953
48	Tuolumne	\$3,076,403	\$3,076,403	\$ 294,003	\$ 164,928	\$ 164,928	\$ 164,928	\$ 6,941,593
49	Ventura	\$42,292,038	\$42,292,038	\$ 5,041,790	\$ 2,828,321	\$ 2,828,321	\$ 2,828,321	\$ 98,110,830
<b>TOTALS</b>		<b>\$2,000,000,000</b>	<b>\$2,000,000,000</b>	<b>\$410,000,000</b>	<b>\$230,000,000</b>	<b>\$230,000,000</b>	<b>\$230,000,000</b>	<b>\$5,100,000,000</b>

**Methodologies. (1) For TIRCP:** For each year, \$300,000 was taken off the top to each agency; the remainder (\$1.863 Billion) is allocated by population using DOF 2023 county populations. But figures for the two entities in San Diego County and the Tahoe Regional Planning Agency are estimates based on previous distributions under this formula made by the State Controller. We are least certain about the Tahoe number. **(2) For ZETCP:** In each year, half of the funds are distributed by population formula using the same method as TIRCP, the second half are distributed by transit revenues (e.g. farebox). These figures are proportional to the previous year's allocation by the State Controller.

- **TIRCP Eligibility.** Eligibility for TIRCP tracks with the existing competitive program: rail capital projects (including acquisition of rail cars and locomotives, that expand, enhance, and improve existing systems and connectivity); intercity, commuter, and urban rail that increase service levels, improve reliability or decrease travel times; rail, bus, and ferry integration; and bus rapid transit and other bus and ferry investments that increase ridership and reduce GHG emissions.
- **ZETCP Eligibility.** Funds may be allocated for funding zero-emission transit equipment, including, but not limited to, zero-emission vehicles and refueling infrastructure; and funding transit operations expenditures that prevent service reduction or elimination in order to maintain or increase transit ridership (if consistent with an approved regional short-term or long-term financial plan).
- **Guidelines (Coming Quick!).** CalSTA to establish Guidelines by **September 30, 2024** in consultation with transportation planning agencies, county transportation commissions, transit development boards, and transit operators.
- **Three Steps for RTPAs to Access Funds in FY 23-24.** Prior to December 31, 2023, the RTPA must: (1) Submit compiled transit operator data (see below); then (2) Determine whether funds will be applied to transit operations either in FY 23-24 or prior to the end of FY 26-27. (If no funds will be applied to operations, then no further steps are necessary); If funds will be applied, then (3) the RTPA must submit a regional short-term financial plan (see below). Agencies that do not submit complete information will have until April 30 to remedy their filings.
- **Two Steps for RTPAs to Accessing Funds in FY 24-25.** Each RTPA must submit compiled operator data and a regional short-term financial plan (regardless of whether any funds will be used to support transit operations prior to the end of FY 26-27).
- **Submitting Compiled Transit Operator Data.** The submission of data must be consistent with adopted guidelines, but at minimum must include: operator fleet and asset management plans; revenue collection methods and annual collection costs by operator; the existing service plan and planned changes; expenditures on security and safety measures; opportunities for restructuring, eliminating redundancies, and improving coordination amongst transit operators (including consolidation of agencies or reevaluation of network management and governance structure); and schedule data in General Transit Feed Specification (GTFS) format.
- **Contents of a Regional Short-Term Financial Plan.** The plan shall: demonstrate how the region will address any operational deficit using all available funds through FY 2025–26; justify how the region’s funding is proposed to be allocated to capital and operational expenses; justify and breakdown how the funding distributed between transit operators and among projects is consistent with program guidelines; demonstrate how the plan mitigates service cuts, fare increases, or layoffs to achieve short-term financial sustainability; summarize how the plan supports ridership improvement strategies.

- **Timing and Contents of a Regional Long-Term Financial Plan.** By June 30, 2026, RTPAs shall submit a plan to sustain transit operations absent additional discretionary or nonformula state funding. The plan should demonstrate the implementation of ridership retention and recovery strategies, including, policies that prioritize safety and cleanliness and streamlined coordination between transit operators, such as schedule coordination, operational management, and site sharing, to improve rider experience. The plan must also include a five-year forecast of operating funding requirements with detail on all sources of funding proposed for operations, including any new local and regional funding sources being pursued and the progress and improvements implemented since the last submitted regional short-term financial plan.
- **Transit Data Posted.** RTPAs must post on its website a summary of monthly ridership data, consistent with the data submitted to the National Transit Database, from all its transit operators during the period of time for which it receives those moneys.
- **ZETCP Use of Funds Report.** By October 31 of each year, RTPAs shall submit a report to CalSTA that describes how much funding was used for operating costs; the number, type, date, and location of zero-emission buses, trains, or other vehicles purchased; the number, type, data, and location of electric charging stations or hydrogen fueling stations installed; the nameplate capacity of installed equipment in kilowatts for electric charging stations and kilograms per day for hydrogen fueling stations; and the total costs and the source of funding for vehicles and equipment purchased using these funds.
- **CalSTA Responsibilities.** Provide technical assistance to transit operators to transition to GTFS Real Time; work with Caltrans and regions to identify improvements that could grow ridership (including transit priority); work with Caltrans and regions to identify costs of revenue collections (including Cal-ITP);

## B. New Transit Transformation Task Force (Gov't Code § 13979.3)

- **To Be Convened By The End of the Year.** Membership includes Caltrans, local governments, MPOs, RTPAs, public transit advocacy organizations, labor, academia, Legislative Committee representatives, and others at the discretion of CalSTA. Operators shall represent bus, rail, ferry, and multi-modal services.
- **Goal:** grow transit ridership and improve the transit experience for all users
- **Timeline.** CalSTA shall publish a report of recommendations by October, 2025.
- **Data to Collect.** The report must include: details of current services provided, demographics, funding source breakdowns (and limitation) for capital and operations, use of TDA funds for other modes, 10 year costs estimates that include costs of local, state, and federal mandates (e.g, ADA and Clean Transit regulations, workforce challenges, state and local policies that effect service and ridership, such as transit prioritization on roads, land use, housing, and pricing policies, state agency responsibilities and COVID service responses.



- **Recommendations to Be Made.** The report must also include recommendations to improve mobility and increase ridership (e.g., service and fare integration between agencies, providing safe and clean experiences, increasing service frequency and reliability, first and last mile access, fleet management, land use, housing and pricing policy changes, workforce development challenges, TDA reform (fare box recovery), new options for revenue, and options to value capture *of property near transit*.

### C. SOME INITIAL OBSERVATIONS (And Please Share Yours With Us!)

- **Clean Up Legislation?** We have heard differing opinions about the need for clean up Legislation. There is at least one instance where a specific date in the statute does not make sense, which suggests the need for some clean up. There are also some undefined terms, like “transit operator,” where further clarification could provide better certainty. If there is any clean up Legislation, it will likely be part of a “baby budget” bill that includes clean up across several budget items.
- **Guidelines ASAP!** CalSTA must develop program Guidelines by September 30 that will be immediately applicable to \$2.4 billion allocated this budget in consultation with RTPAs and transit operators (among others).
- **Scope of CalSTA Authority.** The statute could be read many ways. But CalSTA is clearly required to “approve” the short- and long-term plans upon which funding is dependent. And the plan requires, among other things, that the RTPA provide “justification for how the region’s funding is proposed to be allocated to capital and operational expenses.” Some have expressed concern that the language invites general scrutiny beyond TIRCP and ZETCP funds to the general budget decisions of the RTPAs and transit operators in the region. We also find it interesting that the RTPA may be in the role of “justifying” specific decisions of transit operators.
- **Basic Definitions.** There is some question of whether basic terms like transit operator need more definition. The quick development of the Guidelines provides some opportunity for clarity, but significant policy decisions (like determining which operators are eligible for funding) are less likely to be accomplished in Guidelines.
- **Other Remaining Uncertainties.** There are no doubt a large number of questions that either the Guidelines or clean up legislation could/should address. Here is our start:
  - What level of review or deference will CalSTA apply in reviewing plans submitted by or projects selected by the RTPA?
  - What happens when CalSTA disagrees with an RTPA demonstration or justification; what level of deference will be applied?
  - What unexpected issues may arise by requiring this new level of coordination between RTPAs and transit providers within such a short time period?
  - How will RTPA’s cover the costs of managing funds, developing short- and long-term plans, compiling data, and undertaking other obligations?

## D. STATUTORY LANGUAGE

### **Government Code § 13979.3.**

- (a) On or before January 1, 2024, the agency shall establish and convene the **Transit Transformation Task Force**.
- (b) The task force shall include, but is not limited to, representatives from transit operators, both small and large operating in urban and rural jurisdictions, the Department of Transportation, local governments, metropolitan planning organizations, regional transportation planning organizations, transportation advocacy organizations with expertise in public transit, labor organizations, academic institutions, the Senate Committee on Transportation, the Assembly Committee on Transportation, and other stakeholders, as appropriate, at the discretion of the agency. Transit operators included on the task force shall include a mix of agencies that provide bus-only service, rail-only service, ferry-only service, and multimodal service.
- (c) The task force shall develop a structured, coordinated process for engagement of all parties to solicit and develop policy recommendations to grow transit ridership and improve the transit experience for all users of those services.
- (d) The agency shall, in consultation with the task force, prepare and submit a report of findings and policy recommendations, including identifying where statutory changes would be needed to implement recommendations, based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before October 31, 2025. The report shall identify the financial and technical feasibility of those recommendations.
- (e) The report shall include, but is not limited to, and to the extent feasible, a detailed analysis of the following issues:
- (1) The services provided by transit agencies and the demographics of transit ridership, with detail on services provided, including persons with disabilities, or specific populations like low-income individuals and students.
  - (2) Existing funding sources for transit with a breakdown of funding available for capital and operations, including any constitutional and statutory limitations on these existing funding sources.
  - (3) The use of moneys from local transportation funds established pursuant to Section 29530 for other modes, such as streets and roads.
  - (4) The cost to operate, maintain, and provide for the future growth of transit systems for the next 10 years.
  - (5) The costs and operational impacts associated with federal, state, and local mandates, including, but not limited to, the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the State Air Resources Board's Innovative Clean Transit regulations (Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13 of the California Code of Regulations), to the extent feasible.
  - (6) Workforce recruitment, retention, and development challenges, impacting transit service.
  - (7) Existing policies on state and local metrics to measure transit performance.
  - (8) State and local policies that impact service efficiency and transit ridership, including, but not limited to, transit prioritization on roads, land use, housing, and pricing policies.
  - (9) Identification of state departments and agencies that have responsibility for transit system oversight, grant administration, and reporting.
  - (10) Information on how transit agencies modified their services in response to the COVID-19 pandemic and resulting drop in ridership and revenue.
  - (11) The division of transit funding between capital and operations.
- (f) The report shall also include, but is not limited to, recommendations on the following:
- (1) How to improve mobility and increase ridership on transit, including, but not limited to: (A) Service and fare coordination or integration between transit agencies. (B) Coordinated scheduling, mapping, and wayfinding between transit agencies. (C) Providing a safe and clean ride for passengers and operators. (D) Increasing the frequency and reliability, through strategies that include, but are not limited to, the sharing of real-time transit information such as arrival and departure times and predictions, service alert data, and transit prioritization on roads. (E) Strategies to provide first- and last-mile access to transit. (F) Strategies to achieve fleet and asset management goals and needs, including funding approaches.
  - (2) Changes to land use, housing, and pricing policies that could improve public transit use.
  - (3) Strategies to address workforce recruitment, retention, and development challenges.
  - (4) Reforming the Transportation Development Act (Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code), including, but not limited to, replacing the fare box recovery ratios and efficiency criteria with performance metrics that better measure transit operations.
  - (5) Identification of the appropriate state department or agency to be responsible for transit system oversight and reporting.
  - (6) New options for revenue sources to fund transit operations and capital projects to meet necessary future growth of transit systems for the next 10 years.
  - (7) The potential of transit-oriented development and value capture of property around transit stations as a source of sustainable revenue for transit operations.

(g) The task force may consult with the California Transportation Commission to use its work on the needs assessment prepared pursuant to Section 14518 regarding the identification of future transit capital and operational needs. The task force may use data provided pursuant to Section 13987 to inform the analysis.

(h) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

**Government Code § 13987.**

(a) Subject to the appropriation of funds for the purposes described in paragraphs (1) and (2) in the Budget Act of 2023, 2024, 2025, or 2026, the agency shall develop and administer an accountability program related to the distribution of funds from the following sources: (1) Funds appropriated to the agency in the annual Budget Act from the General Fund for purposes of the Transit and Intercity Rail Capital Program (Part 2 (commencing with Section 75220) of Division 44 of the Public Resources Code) for allocation pursuant to Section 99313 of Public Utilities Code. (2) Funds appropriated to the agency in the annual Budget Act from the Greenhouse Gas Reduction Fund and the Public Transportation Account for purposes of the Zero-Emission Transit Capital Program (Part 6 (commencing with Section 75260) of Division 44 of the Public Resources Code) for allocation pursuant to paragraphs (1) and (2) of subdivision (a) of Section 99312.1 of the Public Utilities Code.

(b) (1) The agency shall, in consultation with transportation planning agencies, county transportation commissions, transit development boards, and transit operators, develop guidelines aligned with the legislative intent described in subdivision (d) of Section 75226 of, and subdivision (f) of Section 75260 of, the Public Resources Code for the administration of the funding described in subdivision (a).

(2) The guidelines described in this section shall be exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1).

(3) Before adopting or modifying the guidelines pursuant to paragraph (4), the agency shall adopt draft guidelines, post those draft guidelines on its internet website, and conduct at least one public workshop or hearing on the draft guidelines. Nothing in this section precludes the agency from conducting additional public workshops or posting informal draft guidelines to inform guideline development before the adoption of final guidelines.

(4) (A) The agency shall adopt the final guidelines governing the distribution of funds for the 2023–24 fiscal year on or before September 30, 2023.

(B) The agency may modify the guidelines adopted pursuant to subparagraph (A) for the distribution of funds for the 2024–25 fiscal year no later than September 30, 2024.

(c) (1) (A) A regional transportation planning agency may only receive an allocation of funds in the 2023–24 fiscal year from the funding sources described in subdivision (a) if both of the following conditions are met by December 31, 2023:

(i) Except as provided in subparagraph (B), the regional transportation planning agency submits, and the agency approves, a regional short-term financial plan for immediate service retention consistent with the adopted guidelines and the requirements set forth in subdivision (e). If a regional transportation planning agency elects to use the funds described in subdivision (a) for operations for any of its transit operators in the 2023–24 fiscal year or forecasts operational need between the 2023–24 and 2026–27 fiscal years, inclusive, for any of its transit operators, then it shall submit a regional short-term financial plan pursuant to this clause.

(ii) The regional transportation planning agency submits to the agency regionally compiled transit operator data that is consistent with requirements included in the adopted guidelines and the requirements set forth in subdivision (f), and is compiled in coordination with transit operators providing service within the jurisdiction of the regional transportation planning agency.

(B) A regional transportation planning agency shall not be required to submit a regional short-term financial plan pursuant to subparagraph (A) if it declares that it does not have an operational need between the 2023–24 and 2026–27 fiscal years, inclusive, for any of its transit operators and will not use funding sources described in subdivision (a) for operations for any of its transit operators.

(2) A regional transportation planning agency may only receive an allocation of funds in the 2024–25 fiscal year from the funding sources described in subdivision (a) if it submits, and the agency approves, an updated regional short-term financial plan, and updated transit operator data, as described in paragraph (1), by December 31, 2025. The requirement to submit a regional short-term financial plan to receive 2024–25 fiscal year funding shall apply to all regional transportation planning agencies receiving funding described in subdivision (a) regardless of whether the agency was exempt pursuant to subparagraph (B) of paragraph (1).

(3) Notwithstanding paragraphs (1) and (2), the agency shall provide a regional transportation planning agency that does not meet requirements specified in paragraph (1) or (2) with an opportunity to remedy its plan and data and shall provide the allocation of funding after the requirements are met by no later than April 30, 2024, for the 2023–24 fiscal year and by no later than April 30, 2025, for the 2024–25 fiscal year.

(4) Upon agency approval of a regional short-term financial plan pursuant to paragraph (1) or (2), a regional transportation planning agency shall post the plan on its internet website.

(d) A regional transportation planning agency shall submit a long-term financial plan consistent with the requirements of subdivision (g) to the agency by June 30, 2026, that addresses the approach to sustain its region's transit operations absent additional discretionary or nonformula state funding.

(e) For purposes of subdivision (c), a regional short-term financial plan shall include, but is not limited to, all of the following:

(1) A demonstration of how the region will address any operational deficit, using all available funds including the fund sources described in subdivision (a), through the 2025–26 fiscal year, based on a 2022 service baseline.

(2) Justification for how the region's funding is proposed to be allocated to capital and operational expenses.

(3) A detailed breakdown and justification for how the funding is proposed to be distributed between transit operators and among projects, consistent with the legislative intent described in subdivision (d) of Section 75226 of, and subdivision (f) of Section 75260 of, the Public Resources Code

(4) A demonstration of how the plan will mitigate service cuts, fare increases, or layoffs relative to a 2022 service baseline to achieve short-term financial sustainability.

(5) A summary of how the plan will support ridership improvement strategies that focus on riders, such as coordinating schedules and ease of payment and improving cleanliness and safety, to improve the ridership experience.

(f) For purposes of subdivision (c), a regional transportation planning agency shall compile and submit regionally representative transit operator data to the agency including, but not limited to, all of the following data:

(1) Existing fleet and asset management plans by transit operator.

(2) Revenue collection methods and annual costs involved in collecting revenue for each transit operator and regional transportation planning agency involved.

(3) A statement of existing service plan and planned service changes.

(4) Expenditures on security and safety measures.

(5) Opportunities for service restructuring, eliminating service redundancies, and improving coordination amongst transit operators, including, but not limited to, consolidation of agencies or reevaluation of network management and governance structure.

(6) Schedule data in General Transit Feed Specification (GTFS) format to enable full visibility of service and service changes where feasible.

(g) For purposes of subdivision (d), a regional long-term financial plan shall include, but is not limited to, both of the following:

(1) Demonstration of the implementation of ridership retention and recovery strategies, including, but not limited to, policies that prioritize safety and cleanliness and streamlined coordination between transit operators, such as schedule coordination, operational management, and site sharing, to improve rider experience.

(2) A five-year forecast of operating funding requirements with detail on all sources of funding proposed for operations, including any new local and regional funding sources being pursued and the progress and improvements implemented since the last submitted regional short-term financial plan.

(h) As a condition of receiving moneys from the funding sources described in subdivision (a), a regional transportation planning agency shall post on its internet website a summary of monthly ridership data, consistent with the data submitted to the National Transit Database, from all its transit operators during the period of time for which it receives those moneys.

(i) (1) The agency shall support the transit goals set forth in this section by doing all of the following:

(A) Providing technical assistance to transit operators to transition to GTFS Real Time.

(B) Working with the Department of Transportation and each region to identify service improvements that could further grow ridership at both regional and interregional levels, including, but not limited to, transit priority.

(C) Working with the Department of Transportation and each region to identify opportunities to reduce the costs of revenue collection across operators, including through their California Integrated Transit Project.

(2) The agency may withhold up to five million dollars (\$5,000,000) of the funding described in subdivision (a) to administer the accountability program established pursuant to this section. This funding shall be available for encumbrance and liquidation until June 30, 2028.

(j) For purposes of this section, "regional transportation planning agency" means a recipient of funding described in paragraphs (1) and (2) of subdivision (a) of Section 99312.1 of the Public Utilities Code.

#### **Government Code § 14509.5.**

(a) Notwithstanding any other law, each member of an advisory committee to the commission who is not a commission member shall receive a per diem of one hundred dollars (\$100) for each day actually spent in the discharge of authorized advisory committee duties, and shall also be reimbursed for traveling and other expenses necessarily incurred in the performance of those duties.

(b) For purposes of this section, "advisory committee" includes, but is not limited to, those committees described in Sections 14506 and 14506.5 of this code and Section 3090 of the Vehicle Code.