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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 5.3. CALIFORNIA TRANSPORTATION COMMISSION [14500 - 14565] (Part 5.3 added by Stats. 1977, Ch. 1106.)

CHAPTER 1. General [14500 - 14518] (Chapter 1 added by Stats. 1977, Ch. 1106.)

14500. There is in the Transportation Agency a California Transportation Commission.

(Amended by Stats. 2013, Ch. 352, Sec. 290. (AB 1317) Effective September 26, 2013. Operative July 1, 2013, by Sec. 543 of Ch. 352.)

14501. As used in this part, unless the context requires otherwise:

- (a) "Commission" means the California Transportation Commission.
- (b) "Department" means the Department of Transportation.

(Added by Stats. 1977, Ch. 1106.)

14502. The commission consists of 13 members appointed as follows:

- (a) Nine members shall be appointed by the Governor with the advice and consent of the Senate. One member shall be appointed by the Speaker of the Assembly and one member shall be appointed by the Senate Committee on Rules, with neither of these members subject to confirmation by the Senate. A member appointed pursuant to this subdivision shall not simultaneously hold an elected public office, or serve on any local or regional public board or commission with business before the commission.
- (b) One Member of the Senate appointed by the Senate Committee on Rules and one Member of the Assembly appointed by the Speaker of the Assembly shall be ex officio members without vote and shall participate in the activities of the commission to the extent that such participation is not incompatible with their positions as Members of the Legislature.
- (c) Notwithstanding any other provision of law, a voting member of the commission may serve on the High-Speed Rail Authority as established in Division 19.5 (commencing with Section 185000) of the Public Utilities Code.

(Amended by Stats. 2012, Ch. 162, Sec. 62. (SB 1171) Effective January 1, 2013.)

14503. (a) Other than ex officio members, the members of the commission shall hold office for terms of four years, and until their successors are appointed, except as otherwise provided in this section.

(b) In the case of the members initially appointed by the Governor, three shall be appointed to serve until February 1, 1979, two until February 1, 1980, two until February 1, 1981, and two until February 1, 1982.

(c) The members appointed by the Speaker of the Assembly and the Senate Committee on Rules pursuant to subdivision (a) of Section 14502 shall hold office for terms of four years, and until their successors are appointed.

(d) Vacancies shall be filled by the appointing authority for the unexpired portion of the terms in which they occur.

(Amended by Stats. 2007, Ch. 717, Sec. 2. Effective January 1, 2008.)

14504. (a) In appointing members, the Governor shall make every effort to ensure both of the following:

(1) That there is a geographic balance of representation on the commission as a whole, with members from the northern and southern areas and from the urban and rural areas of the state.

(2) That the commission has a diverse membership with expertise in transportation issues, taking into consideration factors including, but not limited to, socioeconomic background and professional experience, which may include experience working in, or

representing, disadvantaged communities.

(b) Each member of the commission shall represent the state at large.

(Amended by Stats. 2017, Ch. 737, Sec. 1. (AB 179) Effective January 1, 2018.)

14505. The commission shall elect one of its members as a chairman who shall preside at all meetings, and a vice chairman who shall preside in the absence of the chairman.

The chairman shall serve a term of one year. No member may serve as chairman for more than two successive terms.

(Added by Stats. 1977, Ch. 1106.)

14505.5. After consulting with members of the commission, the chairman of the commission shall appoint the members of all the committees of the commission, including those committees created pursuant to Section 14506.

Each committee shall elect one of its members other than the chairman of the commission, as the committee chairman, who shall preside at all committee meetings.

(Added by Stats. 1977, Ch. 1106.)

14506. In order to perform its duties and functions, the commission shall organize itself into at least the following four committees:

(a) The Committee on Aeronautics, which shall consider issues related to aeronautics.

(b) The Committee on Streets and Highways, which shall consider issues related to streets and highways.

(c) The Committee on Mass Transportation, which shall consider issues related to the movement of groups of people within urban areas, and between rural communities and between cities.

(d) The Committee on Planning, which shall be responsible for transportation planning related issues, including, but not limited to, monitoring the transportation planning and programming process pursuant to Chapter 2.5 (commencing with Section 65080) of Division 1 of Title 7 and recommending to the commission the allocation of federal and state funds available for planning and research.

(Added by Stats. 1977, Ch. 1106.)

14506.5. The chairman shall appoint a Technical Advisory Committee on Aeronautics, after consultation with members of the aviation industry, airport operators, pilots, and other aviation interest groups and experts, as appropriate. This Technical Advisory Committee shall give technical advice to the Committee on Aeronautics on the full range of aviation issues to be considered by the commission.

(Added by Stats. 1977, Ch. 1106.)

14507. The commission shall not form a committee for the purpose of considering budgetary and related fiscal matters.

(Added by Stats. 1977, Ch. 1106.)

14508. The chairman shall not serve on any of the committees except in an ex officio capacity.

(Added by Stats. 1977, Ch. 1106.)

14509. Each member shall receive a compensation of one hundred dollars (\$100) per day, but not to exceed eight hundred dollars (\$800) for any commission business authorized by the commission during any month, when a majority of the commission approves the compensation by a recorded vote, plus the necessary expenses incurred by the member in the performance of the member's duties. The need for up to eight days per diem per month is unique to the commission in that its members must evaluate projects and issues throughout the state in order to prioritize projects for the state transportation improvement program. These responsibilities require greater time, attention, and travel than local or regional transportation entities which have responsibility only for individual portions of the program.

(Amended by Stats. 1984, Ch. 1257, Sec. 1.)

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.

(Added by Stats. 2023, Ch. 54, Sec. 3. (SB 125) Effective July 10, 2023.)

14510. The commission shall appoint an executive director for the commission who shall serve at the pleasure of the commission. The executive director shall receive the salary established by the Director of Finance for exempt officials.

(Amended by Stats. 1980, Ch. 977.)

14511. The executive director shall administer the affairs of the commission as directed by the commission and shall direct the staff of the commission.

(Amended by Stats. 1980, Ch. 977.)

14512. The executive director may appoint, with the approval of the commission, such staff as necessary to carry out the provisions of this part.

The commission may request the department, and the department shall have the authority, to perform such work as the commission deems necessary to carry out its duties and responsibilities. The commission shall consider the expertise and resources available in the department for the purpose of carrying out its duties and responsibilities. This does not preclude, however, the commission from utilizing the services of other agencies, public or private.

(Amended by Stats. 1980, Ch. 977.)

14513. The commission may employ its own legal staff or contract with other state agencies for legal services, or both.

(Amended by Stats. 1981, Ch. 350, Sec. 1.)

14514. The commission may sue or be sued.

(Added by Stats. 1977, Ch. 1106.)

14515. Except where a statute expressly provides that the commission itself shall hold a public hearing, the commission may delegate functions such as listening to argument, taking of evidence, and finding of facts to committees or staff members of the commission. The committee or staff shall have the authority to recommend a decision to the commission.

(Added by Stats. 1978, Ch. 669.)

14516. The commission, the State Air Resources Board, and a representative from the Department of Housing and Community Development shall hold at least two joint meetings per calendar year to coordinate their implementation of policies that jointly affect transportation, housing, and air quality, including interagency efforts, which shall include, but not be limited to, implementation of the sustainable freight action plan developed pursuant to Executive Order B-32-15, development of the California Transportation Plan update pursuant to Section 65071, and the setting of targets pursuant to subparagraph (A) of paragraph (2) of subdivision (b) of Section 65080.

(Amended by Stats. 2019, Ch. 534, Sec. 1. (AB 185) Effective January 1, 2020.)

14517. (a) (1) The commission, in coordination with the State Air Resources Board, Public Utilities Commission, State Energy Resources Conservation and Development Commission, and Governor's Office of Business and Economic Development, shall develop the Clean Freight Corridor Efficiency Assessment.

(2) The goal of the assessment is to identify freight corridors, or segments of freight corridors, and infrastructure needed to support the deployment of zero-emission medium- and heavy-duty vehicles. The commission shall consider the potential for emission-reductions, infrastructure needed for charging and alternative fueling, including parking facilities, congestion reduction, improved road safety and resiliency, and impacts to neighboring communities.

(3) The commission shall consult with the department, local governments, metropolitan planning organizations, regional transportation planning agencies, and other stakeholders, including, but not limited to, the freight industry, stakeholders from low-income and disadvantaged communities, environmental organizations, public health representatives, and academia, to develop the assessment.

(4) In developing the assessment, the commission shall consult with the State Energy Resources Conservation and Development Commission pertaining to its work assessing deployment of vehicle charging stations pursuant to Section 25229 of the Public Resources Code.

(b) In developing the assessment, the commission shall identify all of the following:

(1) Freight corridors, or segments of freight corridors, throughout the state that would be priority candidates for the deployment of zero-emission medium- and heavy-duty vehicles.

(2) The top five freight corridors, or segments of freight corridors, with the heaviest freight volume and near-source exposure to diesel exhaust and other contaminants.

(3) Projects that would achieve the goals of the assessment, including, but not limited to, all of the following projects:

(A) Medium- and heavy-duty vehicle charging and fueling infrastructure.

(B) Highway improvements needed to accommodate charging and fueling infrastructure, including parking facilities.

(C) Highway improvements on the corridor to increase safety and throughput, such as dedicated truck lanes.

(D) Improvements to local or connector streets and roads to support the corridor.

(E) An identification of areas where micro-grids or similar technologies could be deployed for zero-emission vehicle charging or fueling.

(4) Potential sponsors of projects to achieve the goals of the assessment, including, but not limited to, the department, regional transportation agencies, local governments, the freight industry, and nonprofit organizations.

(5) Barriers and potential solutions to achieving the goals of the assessment and the deployment of zero-emission medium- and heavy-duty vehicles.

(6) The impact on roads and bridges due to the increased weight of zero-emission vehicles.

(7) Methods to avoid displacement of residents and businesses on the freight corridor when considering projects that achieve the goals of the assessment.

(8) Potential funding opportunities for project types.

(9) Benefits from the deployment of zero-emission medium- and heavy-duty vehicles, including, but not limited to, environmental, air quality, public health, and highway safety benefits, and economic competitiveness.

(c) The commission shall submit a report detailing the assessment and its recommendations for the deployment of zero-emission medium- and heavy-duty vehicles to the relevant policy and fiscal committees of the Legislature on or before December 1, 2023.

(d) The commission, State Air Resources Board, and State Energy Resources Conservation and Development Commission shall incorporate, to the extent feasible and applicable, the Clean Freight Corridor Efficiency Assessment's findings and recommendations into those entities' programs and guideline documents related to freight infrastructure and technology. This subdivision shall not limit the ability to award freight infrastructure and technology program funds on a competitive basis.

(Added by Stats. 2021, Ch. 769, Sec. 3. (SB 671) Effective January 1, 2022.)

14518. (a) (1) The commission shall prepare, in consultation with the Transportation Agency and the department, a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next 10 years. As part of the needs assessment, the commission shall forecast the expected revenue, including federal, state, and local revenues, to pay for the cost identified in the needs assessment, any shortfall in revenue to cover the cost, and recommendations on how any shortfall should be addressed.

(2) In determining the cost to provide for the necessary future growth of the state and local transportation system in the needs assessment, the commission shall include the costs of transportation system improvements included in regional, interregional, and state transportation improvement programs adopted pursuant to Chapter 2 (commencing with Section 14520), the California State Rail Plan pursuant to Section 14036, and the State Highway System Management Plan adopted pursuant to Section 164.6 of the Streets and Highways Code. Any analysis of necessary future growth shall be consistent with the transportation vision and preferred scenario contemplated in the most recent California Transportation Plan developed pursuant to Chapter 2.3 (commencing with Section 65070) of Division 1 of Title 7.

(3) The commission shall include the cost to address climate change impacts to provide for system resiliency in the needs assessment.

(4) In developing the needs assessment, the commission may use existing reports or analyses.

(5) In developing the needs assessment, the commission shall consult with relevant stakeholders, including, but not limited to, community-based organizations, environmental justice and equity-based organizations, organized labor, the transportation

industry, metropolitan planning organizations, county transportation commissions, regional transportation planning agencies, local governments, and transit operators.

(b) Notwithstanding Section 10231.5, the commission shall submit an interim needs assessment to the Legislature on or before January 1, 2024, and a completed needs assessment to the Legislature on or before January 1, 2025, and every five years thereafter. The needs assessment shall be submitted in compliance with Section 9795.

(c) For purposes of this section, "state and local transportation system" includes all of the following:

(1) Bicycle and pedestrian facilities.

(2) Local streets and roads.

(3) Highways, bridges, and culverts.

(4) Transit systems, commuter rail systems, and intercity rail systems, including the operation of those systems.

(Added by Stats. 2022, Ch. 508, Sec. 1. (SB 1121) Effective January 1, 2023.)