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**SB-742 Intercity passenger rail services: motor carrier transportation of passengers.** (2019-2020)

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**Senate Bill No. 742**

**CHAPTER 652**

An act to amend Section 14035.55 of the Government Code, relating to transportation.

[ Approved by Governor October 08, 2019. Filed with Secretary of State October 08, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 742, Allen. Intercity passenger rail services: motor carrier transportation of passengers.

Existing law authorizes the Department of Transportation to provide funding to the National Railroad Passenger Corporation (Amtrak) to enter into contracts with motor carriers of passengers for the intercity transportation of passengers by motor carrier over regular routes if certain conditions are met. Existing law also authorizes the department to provide funding to Amtrak to contract for rail feeder bus services operated in conjunction with the intercity trains, but subject to the restriction, among others, that the bus services be used only by passengers who are connecting to or from a train, subject to specified exceptions, including exceptions for passengers on certain routes where no private intercity bus company provides scheduled bus services.

This bill would instead authorize the department to provide funding to certain joint powers authorities responsible for the administration of intercity passenger rail services for the purpose of entering into a contract with Amtrak or a public or private motor carrier of passengers for the intercity transportation of passengers by motor carrier over regular routes connecting to intercity rail service, as specified. The bill would authorize motor carrier connections funded pursuant to these provisions to transport passengers who are not connecting to a passenger rail service. The bill would require a joint powers authority that contracts for service pursuant to this authorization, in consultation with the department, to submit a report to the Legislature on or before January 1, 2023, relating to that service. The bill would authorize state agencies and departments, public and private transit operators, intercity motor carriers of passengers, Amtrak, and those joint powers authorities to enter into revenue sharing and ticket selling agreements with each other to provide for intercity transportation of passengers and connections at rail stations to and from local transit systems and intermodal and intercity motor carrier terminals.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** The Legislature finds and declares both of the following:

(a) The coordination of public and private intercity transportation to and from passenger rail stations is essential to providing a statewide intercity passenger transportation network.

(b) The availability of intercity bus transportation that connects to passenger rail services and that serves communities during time periods when that transportation is not otherwise provided by private intercity transportation companies could provide a significant

additional travel choice for statewide intercity passenger network users and, if available to all riders, could help ensure the optimal use of intercity transportation funding.

(c) The support of existing intercity bus services is critical to maintaining rural services and connections to the state's surface transportation system, and funding pursuant to this measure should, to the greatest extent possible, enhance those services and damage to those services should be avoided if possible, and if not, limited to the extent practicable.

**SEC. 2.** Section 14035.55 of the Government Code is amended to read:

**14035.55.** (a) To the extent permitted by federal law, the department shall encourage intercity passenger rail providers and motor carriers of passengers to do both of the following:

(1) Combine or package their respective services and facilities to the public as a means of improving intercity transportation services to the public.

(2) Coordinate schedules, routes, rates, reservations, and ticketing to provide for enhanced intermodal surface transportation to and from connecting points of passenger rail service.

(b) (1) The department may provide funding to a joint powers authority responsible for the administration of an intercity passenger rail service for the purpose of entering into a contract with Amtrak or a public or private motor carrier of passengers for the intercity transportation of passengers by motor carrier over regular routes connecting to intercity rail service.

(2) The joint powers authority shall, before entering into a contract with a private motor carrier of passengers, consult with and consider relevant local and regional public transit operators to determine if a local or regional public transit operator can provide the planned service and to attempt to avoid conflicts with existing public transit services.

(3) Before contracting for motor carrier connections to or from an intercity rail service pursuant to this subdivision, a joint powers authority shall make a good faith effort to coordinate with private motor carrier services to provide timely connections with intercity rail services, including through agreements to fund modifications or expansions of existing motor carrier services to better coordinate with existing rail service.

(4) The joint powers authority shall document the differences, including time of day, between the proposed motor carrier services and the existing services in communities served if proposing a publicly funded motor carrier service pursuant to this subdivision.

(5) The requirements of paragraphs (2) to (4), inclusive, shall be documented, presented, and available for public comment in a public meeting of the applicable joint powers authority.

(c) Motor carrier connections funded pursuant to this section may transport passengers who are not connecting to a passenger rail service.

(d) State agencies and departments, public and private transit operators, intercity motor carriers of passengers, Amtrak, and joint powers authorities may enter into revenue sharing and ticket selling agreements with each other to provide for intercity transportation of passengers and connections at rail stations to and from local transit systems and intermodal and intercity motor carrier terminals.

(e) (1) A joint powers authority that contracts for service pursuant to this division, in consultation with the department, shall submit a report to the Legislature on or before January 1, 2023, that shall include, but not be limited to, the number of its passengers who are transferring to intercity passenger rail service, the number of its passengers who are traveling solely on the motor carrier, the extent to which the contracted service is similar to services offered by privately operated intercity motor carriers, the impact of the publicly funded motor carrier service on privately operated motor carrier services, and any revenue sharing and ticket selling agreement entered into pursuant to subdivision (d). The report may also include any recommendations for changes to state policies to encourage increased connectivity and service quality.

(2) (A) The requirement for submitting a report imposed under this subdivision is inoperative on January 1, 2027, pursuant to Section 10231.5.

(B) A report to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795.

(f) For purposes of this section, the following terms have the following meanings:

(1) "Amtrak" means the National Railroad Passenger Corporation.

(2) "Department" means the Department of Transportation or the department's successor with respect to providing funds to subsidize Amtrak service.

(3) "Joint powers authority" means a joint exercise of powers agency established pursuant to this chapter.

(4) "Motor carrier of passengers" means a person or entity providing motor vehicle transportation of passengers for compensation.