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AB-1037 Infrastructure construction: digital construction management technologies. (2021-2022)

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Assembly Bill No. 1037

CHAPTER 493

An act to add and repeal Section 14111 of the Government Code, relating to infrastructure.

[Approved by Governor September 23, 2022. Filed with Secretary of State September 23, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1037, Grayson. Infrastructure construction: digital construction management technologies.

Existing law authorizes the Department of Transportation to develop the full potential of all resources and opportunities that are now, and may become, available to the state for meeting California's transportation needs and to plan, design, construct, operate, and maintain those transportation systems that the Legislature has made, or may make, the responsibility of the department.

This bill would require the department to develop an implementation plan for the use and integration of digital construction management technologies, as defined, for use on transportation infrastructure projects. The bill would require the implementation plan to include specified milestone goals, including that the department will begin using digital construction management technologies through construction by July 1, 2029. The bill would require the department to submit a report to the Legislature by December 1, 2029, as specified. The bill would repeal these provisions on January 1, 2032.

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 all of the following:

- (a) According to the 2021 Five-Year Infrastructure Plan, the state's investments in infrastructure can be leveraged to create jobs that contribute to expediting California's economic recovery.
- (b) According to the 2021 Five-Year Infrastructure Plan, building resilience into decisions related to both built and natural infrastructure is critical to California's future and will require strategic investments in the state's capital assets and natural systems.
- (c) As the state distributes federal infrastructure funding or leverages state funds for new transportation infrastructure projects in an effort to climb out of the COVID-19-induced recession, it should seek to maximize the value of taxpayer dollars and drive the best possible value for its investments.
- (d) Digital construction management technologies empower governments and asset owners to accelerate transportation infrastructure project delivery time, reduce cost, improve worker safety, and enable remote work.

(e) According to the United States Department of Transportation Federal Highway Administration, digital construction management technologies have been successfully utilized by various state departments of transportation, including those in Michigan, Minnesota, Florida, Texas, Pennsylvania, North Carolina, Wisconsin, and Iowa.

(f) It is the intent of the Legislature to promote the use of digital construction management technologies on transportation infrastructure projects to reduce delivery time, reduce cost, develop more sustainable infrastructure, improve worker safety, and enable remote work.

SEC. 2. Section 14111 is added to the Government Code, to read:

14111. (a) (1) The department shall develop an implementation plan for the use and integration of digital construction management technologies for use on a transportation infrastructure project. The implementation guide shall include a timeline of the development of guidance, policies, and procedures to use digital construction management technologies from preconstruction to asset life cycle and a description of any metrics or data necessary to quantify the benefits of using this technology.

(2) The department shall post the implementation plan on its internet website by January 1, 2024.

(b) (1) The goal of the implementation plan is to begin using digital construction management technologies on transportation infrastructure projects, when deemed appropriate by the department, by July 1, 2029.

(2) The implementation plan shall include the following milestone goals:

(A) Development and posting on the department's internet website of guidance, policies, and procedures to use digital construction management technologies by January 1, 2025.

(B) Begin using digital construction management technologies during the predevelopment stage of project development by July 1, 2026.

(C) Begin using digital construction management technologies through final design of project development by January 1, 2028.

(D) Begin using digital construction management technologies through construction by July 1, 2029.

(c) This section shall only apply to transportation infrastructure projects planned, programmed, designed, built, or managed by the department.

(d) By December 1, 2029, the department shall submit a report to the Legislature in compliance with Section 9795, which shall include, at a minimum, all of the following:

(1) The status of the implementation of digital construction management technologies.

(2) Relevant details of any projects using or planning to use digital construction management technologies.

(3) Expected or actual quantifiable benefits from the use of digital construction management technologies as identified by the department pursuant to its implementation plan.

(4) Any challenges or barriers to the implementation of the use of digital construction management technologies.

(e) For purposes of this section, "digital construction management technologies" means cloud-based mobile platforms used on construction sites by owners and contractors for the collection and organization of and managed accessibility to, accurate data and information related to a construction project, including for project site preparation, field execution, construction project management, document management, coordination and collaboration among stakeholders, inspection, and commissioning and handover to owner.

(f) This section shall remain in effect only until January 1, 2032, and as of that date is repealed.