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**SB-1098 Passenger and freight rail: LOSSAN Rail Corridor.** (2023-2024)

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Date Published: 09/30/2024 09:00 PM

**Senate Bill No. 1098**

**CHAPTER 777**

An act to add Sections 14072.8 and 14072.10 to, and to add and repeal Section 14072.6 of, the Government Code, relating to transportation.

[ Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1098, Blakespear. Passenger and freight rail: LOSSAN Rail Corridor.

Existing law establishes the Department of Transportation in the Transportation Agency. Existing law authorizes the department subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Existing law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor.

This bill would require the Secretary of Transportation to provide guidance and recommendations to, and coordination between, stakeholders as necessary to ensure the performance of the LOSSAN Rail Corridor, as specified.

This bill would also require the Secretary of Transportation, with technical and subject matter assistance from the Secretary for Environmental Protection and the Secretary of the Natural Resources Agency, to submit a report to the Legislature regarding the LOSSAN Rail Corridor that includes specified information no later than 2 years after an appropriation is made by the Legislature for purposes of this report. The bill would also require the Secretary of Transportation, in coordination with stakeholders responsible for operating rail services along the LOSSAN Rail Corridor, to submit a report to the Legislature on the performance of the LOSSAN Rail Corridor no later than 3 years after an appropriation is made by the Legislature for purposes of this performance report and biennially thereafter.

This bill would require the Secretary of Transportation to convene a working group composed of representatives of certain types of entities, including, among others, metropolitan planning organizations from specified counties. The bill would require the working group to submit consensus recommendations and feedback in a report to the Legislature on or before February 1, 2026, on various topics relating to rail service in the LOSSAN Rail Corridor. Before submitting the report to the Legislature, the bill would require the recommendations and feedback to be submitted to the LOSSAN Rail Corridor Agency, the Southern California Regional Rail Authority, and the North County Transit District for review and consideration. By adding to the duties of local agencies, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the LOSSAN Rail Corridor.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

**SECTION 1.** The act shall be known, and may be cited, as the Southern California Rail Revitalization Act.

**SEC. 2.** Section 14072.6 is added to the Government Code, to read:

**14072.6.** (a) (1) Upon appropriation by the Legislature for purposes of this subdivision, the secretary, with technical and subject matter assistance from the Secretary for Environmental Protection and the Secretary of the Natural Resources Agency, shall submit a report to the Legislature no later than two years after an appropriation is made by the Legislature for purposes of this subdivision regarding the LOSSAN Rail Corridor that includes all of the following information:

(A) A baseline summary of transportation and environmental conditions in existence as of January 1, 2025, along the rail corridor.

(B) Prioritized capital improvement projects in the corridor necessary to improve current services and achieve service growth, performance, and network goals consistent with the State Rail Plan prepared pursuant to Section 14036. Each prioritized capital improvement project identified pursuant to this subparagraph shall indicate in the report whether it is aligned with the near-term, mid-term, or long-term planning year horizons identified in the State Rail Plan and shall indicate in the report the specific service outcomes tied to the project.

(C) Prioritized improvement projects in the corridor necessary to ensure the resiliency of both natural resources and transportation infrastructure.

(D) A description of administrative actions taken by the Transportation Agency using authority in existence before January 1, 2025, to improve operations and performance of the corridor.

(E) Recommendations for the corridor to connect with other passenger rail services.

(F) Strategies to support and improve existing rail service and increase ridership, including a description of necessary operations funding for increased service frequencies.

(G) Recommendations to achieve zero-emission state-supported intercity service, including an analysis of available technologies and necessary corridor infrastructure. The recommendations made pursuant to this subparagraph shall identify efforts by the Southern California Regional Rail Authority and the North County Transit District to achieve zero-emission services, and opportunities to coordinate those efforts and ensure interoperability between those zero-emission services.

(H) Strategies and recommendations to support coastal hazard resiliency planning in the corridor.

(I) A description of coordination activities through the federal Corridor Identification and Development Program established pursuant to Section 25101 of Title 49 of the United States Code.

(2) In preparing the report pursuant to this subdivision, the secretary shall consult existing plans, studies, reports, and guidance for the LOSSAN Rail Corridor, including, but not limited to, the LOSSAN Rail Corridor Optimization Study, the LOSSAN Rail Corridor Agency Business Plan adopted by the LOSSAN Rail Corridor Agency, the guidance document "Critical Infrastructure at Risk: Sea Level Rise Planning Guidance for California's Coastal Zone" adopted by the California Coastal Commission, and the report submitted to the Legislature pursuant to subdivision (c).

(3) When undertaking the duties pursuant to this subdivision, the secretaries identified in paragraph (1) may consult with any other state agency, as needed for technical and subject matter assistance.

(4) For projects identified pursuant to paragraph (1), the secretary shall include in the report all available funding sources, projected completion schedules for priority projects, current funding shortfalls, recommended strategies and plans to address any funding shortfall, and next steps for site-specific project analysis and environmental review documents. In identifying projects pursuant to paragraph (1), if the secretary does not identify a project that is included in the 2024 LOSSAN Rail Corridor Agency Business Plan and has approved environmental or programmatic documents, or if the secretary includes a modified version of one of those projects, the secretary shall explain in the report why the project was excluded or why the project was included in a modified version, as applicable.

(b) The secretary shall convene a working group that includes, but is not limited to, representatives of all of the following entities:

(1) LOSSAN Rail Corridor track owners.

(2) LOSSAN Rail Corridor passenger and freight rail operators, including managing agencies, joint powers authorities, and transit districts responsible for rail services.

(3) The county transportation commissions for the Counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura established pursuant to Division 12 (commencing with Section 130000) of the Public Utilities Code.

(4) The metropolitan planning organizations for the Counties of Los Angeles, Orange, San Diego, San Luis Obispo, Santa Barbara, and Ventura.

(5) Business, community, transportation, environmental, labor, and civic organizations.

(6) The California Coastal Commission.

(7) The Division of Rail and Mass Transportation in the department.

(c) (1) The working group convened pursuant to subdivision (b) shall submit consensus recommendations and feedback in a report to the Legislature on or before February 1, 2026, on all of the following as necessary to ensure the long-term viability of comprehensive and coordinated passenger and freight rail services in, or that connect to, the LOSSAN Rail Corridor as of January 1, 2025:

(A) Strategies to increase rail service coordination and reduce disruptions or delays, including, but not limited to, those caused by resiliency vulnerabilities, track closures, state of good repair, equipment, and staffing. The recommendations made pursuant to this subparagraph should result in improved maintenance and conditions of assets, reduced track closures, and greater on-time performance.

(B) Alternative management and operations models or structures that improve intercity and regional rail services.

(C) Changes to state statutes, rules, or funding necessary to improve the quality, performance, usage, management, or frequency of passenger rail services with a focus on streamlining, clarifying, and improving existing processes or procedures. In making recommendations and providing feedback pursuant to this subparagraph, the working group shall review how local and regional planning agencies responsible for recommending transportation strategies include information about train service, operations, capital projects, resiliency, and performance in their respective planning documents, including, but not limited to, sustainable communities strategies, regional transportation plans, transportation demand management plans, and long-range transportation plans.

(D) Coordination of planning and project development through the federal Corridor Identification and Development Program established pursuant to Section 25101 of Title 49 of the United States Code to streamline processes and expand opportunities for federal capital funding.

(2) The working group shall consider the known and expected impacts of recommendations on the coastal environment and local communities, and consider opportunities to support the coastal zone and local communities when making recommendations.

(3) The working group shall recognize the ownership and rights held in the LOSSAN Rail Corridor, and past and ongoing service, operations, and capital investments made by the member agencies of the LOSSAN Rail Corridor Agency, the Southern California Regional Rail Authority, and the North County Transit District.

(4) The recommendations required pursuant to this subdivision shall be developed with meaningful public engagement led by the working group convened pursuant to subdivision (b).

(5) Before submitting the report to the Legislature pursuant to this subdivision, the working group shall submit the recommendations and feedback to the governing boards of the LOSSAN Rail Corridor Agency, the Southern California Regional Rail Authority, and the North County Transit District for review and consideration. A governing board described in this paragraph shall notify the secretary of any action taken in response to these recommendations or feedback and the secretary shall include all of the information provided by the governing board pursuant to that notification in the report required pursuant to this subdivision.

(6) The secretary and working group may also include information in the report required pursuant to this subdivision regarding where additional follow-up discussion or action is needed.

(7) The requirement for submitting a report imposed under this subdivision is inoperative on February 1, 2030, pursuant to Section 10231.5.

(d) (1) The reports to be submitted pursuant to subdivisions (a) and (c) shall be submitted in compliance with Section 9795.

(2) Pursuant to Section 10231.5, this section is inoperative four years after the date that the report described in subdivision (a) is required to be submitted to the Legislature and, as of January 1 following the date that this section is inoperative, is repealed.

**SEC. 3.** Section 14072.8 is added to the Government Code, to read:

**14072.8.** (a) Notwithstanding Section 10231.5, upon appropriation by the Legislature for purposes of this section, the secretary, in coordination with stakeholders responsible for operating rail services along the LOSSAN Rail Corridor, shall submit a report to the Legislature no later than three years after an appropriation is made by the Legislature for purposes of this section, and every two years thereafter, on the performance of the LOSSAN Rail Corridor that includes all of the following information:

(1) Performance, ridership, usage, and quality of rail services.

(2) Updates to capital improvement planning.

(3) Progress in delivering fleet and infrastructure improvement projects.

(4) Improvements to service and fare coordination.

(5) Opportunities to increase the quality and frequency of services.

(6) Updates to technical information, studies, reports, or research relating to the planning, operations, or maintenance of rail services.

(7) Updates on corridor resiliency, prepared in coordination with the California Coastal Commission, including updates on any projects identified by the LOSSAN Rail Corridor Agency pursuant to Section 14072.4 to increase climate resiliency on the corridor. These updates shall include the status of current and planned development projects in the coastal zone and an analysis of environmental conditions.

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

**SEC. 4.** Section 14072.10 is added to the Government Code, to read:

**14072.10.** (a) The secretary shall provide guidance and recommendations to, and coordination between, stakeholders as necessary to ensure the performance of the LOSSAN Rail Corridor.

(b) The responsibilities set forth in subdivision (a) shall include planning, as needed, for any of the following:

(1) Service frequencies.

(2) Equipment and fleet management.

(3) Infrastructure improvement and state-of-good repair projects.

(4) Resiliency of the corridor, including coordination with the California Coastal Commission as it relates to the California coastal zone.

**SEC. 5.** The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique need to address the resiliency and performance of the LOSSAN Rail Corridor.

**SEC. 6.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.