

1 subdivision (f) of Section 148.5, Section 171b, paragraph (1) of
 2 subdivision (a) of Section 171c, Section 171d, 186.28, 240, 241,
 3 242, 243, 243.4, 244.5, 245, 245.5, 246.3, 247, 273.5, 273.6, 417,
 4 417.6, 422, 626.9, 646.9, or 830.95, subdivision (a) of former
 5 Section 12100, as that section read at any time from when it was
 6 enacted by Section 3 of Chapter 1386 of the Statutes of 1988 to
 7 when it was repealed by Section 18 of Chapter 23 of the Statutes
 8 of 1994, Section 17500, 17510, 25300, 25800, 30315, or 32625,
 9 subdivision (b) or (d) of Section 26100, or Section 27510, or
 10 Section 8100, 8101, or 8103 of the Welfare and Institutions Code,
 11 any firearm-related offense pursuant to Sections 871.5 and 1001.5
 12 of the Welfare and Institutions Code, or of the conduct punished
 13 in subdivision (c) of Section 27590, and who, within 10 years of
 14 ~~the conviction~~, *conviction, or if the individual has an outstanding*
 15 *warrant*, owns, purchases, receives, or has in possession or under
 16 custody or control, any firearm is guilty of a public offense, which
 17 shall be punishable by imprisonment in a county jail not exceeding
 18 one year or in the state prison, by a fine not exceeding one thousand
 19 dollars (\$1,000), or by both that imprisonment and fine.

20 (b) The court, on forms prescribed by the Department of Justice,
 21 shall notify the department of persons subject to this section.
 22 However, the prohibition in this section may be reduced,
 23 eliminated, or conditioned as provided in Section 29855 or 29860.

24 *SEC. 47. Section 30680 of the Penal Code, as added by Section*
 25 *2 of Chapter 40 of the Statutes of 2016, is amended to read:*

26 30680. Section 30605 does not apply to the possession of an
 27 assault weapon by a person who has possessed the assault weapon
 28 prior to January 1, 2017, if all of the following are applicable:

29 (a) Prior to January 1, 2017, the person would have been eligible
 30 to register that assault weapon pursuant to subdivision (b) of
 31 Section 30900.

32 (b) The person lawfully possessed that assault weapon prior to
 33 January 1, 2017.

34 (c) The person registers the assault weapon by ~~January 1, 2018,~~
 35 *July 1, 2018*, in accordance with subdivision (b) of Section 30900.

36 *SEC. 48. Section 30680 of the Penal Code, as added by Section*
 37 *2 of Chapter 48 of the Statutes of 2016, is amended to read:*

38 30680. Section 30605 does not apply to the possession of an
 39 assault weapon by a person who has possessed the assault weapon
 40 prior to January 1, 2017, if all of the following are applicable:

1 (a) Prior to January 1, 2017, the person was eligible to register
2 that assault weapon pursuant to subdivision (b) of Section 30900.

3 (b) The person lawfully possessed that assault weapon prior to
4 January 1, 2017.

5 (c) The person registers the assault weapon by ~~January 1, 2018,~~
6 *July 1, 2018*, in accordance with subdivision (b) of Section 30900.

7 *SEC. 49. Section 30900 of the Penal Code is amended to read:*

8 30900. (a) (1) Any person who, prior to June 1, 1989, lawfully
9 possessed an assault weapon, as defined in former Section 12276,
10 as added by Section 3 of Chapter 19 of the Statutes of 1989, shall
11 register the firearm by January 1, 1991, and any person who
12 lawfully possessed an assault weapon prior to the date it was
13 specified as an assault weapon pursuant to former Section 12276.5,
14 as added by Section 3 of Chapter 19 of the Statutes of 1989 or as
15 amended by Section 1 of Chapter 874 of the Statutes of 1990 or
16 Section 3 of Chapter 954 of the Statutes of 1991, shall register the
17 firearm within 90 days with the Department of Justice pursuant to
18 those procedures that the department may establish.

19 (2) Except as provided in Section 30600, any person who
20 lawfully possessed an assault weapon prior to the date it was
21 defined as an assault weapon pursuant to former Section 12276.1,
22 as it read in Section 7 of Chapter 129 of the Statutes of 1999, and
23 which was not specified as an assault weapon under former Section
24 12276, as added by Section 3 of Chapter 19 of the Statutes of 1989
25 or as amended at any time before January 1, 2001, or former
26 Section 12276.5, as added by Section 3 of Chapter 19 of the
27 Statutes of 1989 or as amended at any time before January 1, 2001,
28 shall register the firearm by January 1, 2001, with the department
29 pursuant to those procedures that the department may establish.

30 (3) The registration shall contain a description of the firearm
31 that identifies it uniquely, including all identification marks, the
32 full name, address, date of birth, and thumbprint of the owner, and
33 any other information that the department may deem appropriate.

34 (4) The department may charge a fee for registration of up to
35 twenty dollars (\$20) per person but not to exceed the reasonable
36 processing costs of the department. After the department establishes
37 fees sufficient to reimburse the department for processing costs,
38 fees charged shall increase at a rate not to exceed the legislatively
39 approved annual cost-of-living adjustment for the department's
40 budget or as otherwise increased through the Budget Act but not

1 to exceed the reasonable costs of the department. The fees shall
2 be deposited into the Dealers' Record of Sale Special Account.

3 (b) (1) Any person who, from January 1, 2001, to December
4 31, 2016, inclusive, lawfully possessed an assault weapon that
5 does not have a fixed magazine, as defined in Section 30515,
6 including those weapons with an ammunition feeding device that
7 can be readily removed from the firearm with the use of a tool,
8 shall register the firearm before ~~January 1, 2018~~, *July 1, 2018*, but
9 not before the effective date of the regulations adopted pursuant
10 to paragraph (5), with the department pursuant to those procedures
11 that the department may establish by regulation pursuant to
12 paragraph (5).

13 (2) Registrations shall be submitted electronically via the
14 Internet utilizing a public-facing application made available by
15 the department.

16 (3) The registration shall contain a description of the firearm
17 that identifies it uniquely, including all identification marks, the
18 date the firearm was acquired, the name and address of the
19 individual from whom, or business from which, the firearm was
20 acquired, as well as the registrant's full name, address, telephone
21 number, date of birth, sex, height, weight, eye color, hair color,
22 and California driver's license number or California identification
23 card number.

24 (4) The department may charge a fee in an amount of up to
25 fifteen dollars (\$15) per person but not to exceed the reasonable
26 processing costs of the department. The fee shall be paid by debit
27 or credit card at the time that the electronic registration is submitted
28 to the department. The fee shall be deposited in the Dealers' Record
29 of Sale Special Account to be used for purposes of this section.

30 (5) The department shall adopt regulations for the purpose of
31 implementing this subdivision. These regulations are exempt from
32 the Administrative Procedure Act (Chapter 3.5 (commencing with
33 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
34 Code).

35 *SEC. 50. Section 10340.1 is added to the Public Contract Code,*
36 *to read:*

37 *10340.1. (a) Notwithstanding existing law, the State*
38 *Department of State Hospitals may enter into an agreement for*
39 *the purposes of continued operation of the existing central utility*

1 *plant at the Metropolitan State Hospital without having to go*
2 *through a competitive bid process.*

3 *(b) This section shall remain in effect only until June 30, 2018,*
4 *and as of that date is repealed.*

5 *SEC. 51. Section 13365 of the Vehicle Code is amended to*
6 *read:*

7 13365. (a) Upon receipt of notification of a violation of
8 subdivision (a) ~~or (b)~~ of Section 40508, the department shall take
9 the following action:

10 (1) If the notice is given pursuant to subdivision (a) ~~or (b)~~ of
11 Section 40509, if the driving record of the person who is the subject
12 of the notice contains one or more prior notifications of a violation
13 issued pursuant to Section 40509 or 40509.5, and if the person's
14 driving privilege is not currently suspended under this section, the
15 department shall suspend the driving privilege of the person.

16 (2) If the notice is given pursuant to subdivision (a) ~~or (b)~~ of
17 Section 40509.5, and if the driving privilege of the person who is
18 the subject of the notice is not currently suspended under this
19 section, the department shall suspend the driving privilege of the
20 person.

21 (b) (1) A suspension under this section shall not be effective
22 before a date 60 days after the date of receipt, by the department,
23 of the notice given specified in subdivision (a), and the notice of
24 suspension shall not be mailed by the department before a date 30
25 days after receipt of the notice given specified in subdivision (a).

26 ~~The~~

27 (2) ~~The~~ suspension shall continue until the suspended person's
28 driving record does not contain any notification of a violation of
29 subdivision (a) ~~or (b)~~ of Section 40508.

30 *SEC. 52. Section 13365.2 of the Vehicle Code is amended to*
31 *read:*

32 13365.2. (a) Upon receipt of the notice required under
33 subdivision ~~(e)~~ (b) of Section 40509.5, the department shall
34 suspend the driving privilege of the person upon whom notice was
35 received and shall continue that suspension until receipt of the
36 certificate required under that subdivision.

37 (b) The suspension required under subdivision (a) shall become
38 effective on the 45th day after the mailing of written notice by the
39 department.

1 *SEC. 53. Section 40509 of the Vehicle Code is amended to*
2 *read:*

3 40509. (a) Except as required under subdivision ~~(e)~~ (b) of
4 Section 40509.5, if ~~any~~ a person has violated a written promise to
5 appear or a lawfully granted continuance of his or her promise to
6 appear in court or before the person authorized to receive a deposit
7 of bail, or violated an order to appear in court, including, but not
8 limited to, a written notice to appear issued in accordance with
9 Section 40518, the magistrate or clerk of the court may give notice
10 of the failure to appear to the department for any violation of this
11 code, or any violation that can be heard by a juvenile traffic hearing
12 referee pursuant to Section 256 of the Welfare and Institutions
13 Code, or any violation of any other statute relating to the safe
14 operation of a vehicle, except violations not required to be reported
15 pursuant to paragraphs (1), (2), (3), (6), and (7) of subdivision (b)
16 of Section 1803. If thereafter the case in which the promise was
17 given is adjudicated or the person who has violated the court order
18 appears in court or otherwise satisfies the order of the court, the
19 magistrate or clerk of the court hearing the case shall sign and file
20 with the department a certificate to that effect.

21 ~~(b) If any person has willfully failed to pay a lawfully imposed~~
22 ~~fine within the time authorized by the court or to pay a fine~~
23 ~~pursuant to subdivision (a) of Section 42003, the magistrate or~~
24 ~~clerk of the court may give notice of the fact to the department for~~
25 ~~any violation, except violations not required to be reported pursuant~~
26 ~~to paragraphs (1), (2), (3), (6), and (7) of subdivision (b) of Section~~
27 ~~1803. If thereafter the fine is fully paid, the magistrate or clerk of~~
28 ~~the court shall issue and file with the department a certificate~~
29 ~~showing that the fine has been paid.~~

30 ~~(c)~~

31 ~~(b) (1) Notwithstanding subdivisions (a) and (b), subdivision~~
32 ~~(a), the court may notify the department of the total amount of~~
33 ~~bail, fines, assessments, and fees authorized or required by this~~
34 ~~code, including Section 40508.5, which that are unpaid by any a~~
35 ~~person.~~

36 (2) Once a court has established the amount of bail, fines,
37 assessments, and fees, and notified the department, the court shall
38 not further enhance or modify that amount.

39 (3) This subdivision applies only to violations of this code that
40 do not require a mandatory court appearance, are not contested by

1 the defendant, and do not require proof of correction certified by
2 the court.

3 ~~(d) With respect to a violation of this code, this section is~~
4 ~~applicable to any court which has not elected to be subject to the~~
5 ~~notice requirements of subdivision (b) of Section 40509.5.~~

6 (e)

7 (c) Any violation subject to Section ~~40001, which 40001 that~~
8 is the responsibility of the owner of the ~~vehicle, vehicle~~ shall not
9 be reported under this section.

10 SEC. 54. Section 40509.5 of the Vehicle Code is amended to
11 read:

12 40509.5. (a) Except as required under subdivision ~~(e); (b)~~, if,
13 with respect to an offense described in subdivision ~~(e); (d)~~, a person
14 has violated his or her written promise to appear or a lawfully
15 granted continuance of his or her promise to appear in court or
16 before the person authorized to receive a deposit of bail, or violated
17 an order to appear in court, including, but not limited to, a written
18 notice to appear issued in accordance with Section 40518, the
19 magistrate or clerk of the court may give notice of the failure to
20 appear to the department for a violation of this code, a violation
21 that can be heard by a juvenile traffic hearing referee pursuant to
22 Section 256 of the Welfare and Institutions Code, or a violation
23 of any other statute relating to the safe operation of a vehicle,
24 except violations not required to be reported pursuant to paragraphs
25 (1), (2), (3), (6), and (7) of subdivision (b) of Section 1803. If
26 thereafter the case in which the promise was given is adjudicated
27 or the person who has violated the court order appears in court and
28 satisfies the order of the court, the magistrate or clerk of the court
29 hearing the case shall sign and file with the department a certificate
30 to that effect.

31 ~~(b) If, with respect to an offense described in subdivision (c), a~~
32 ~~person has willfully failed to pay a lawfully imposed fine, or bail~~
33 ~~in installments as agreed to under Section 40510.5, within the time~~
34 ~~authorized by the court or to pay a fine pursuant to subdivision (a)~~
35 ~~of Section 42003, the magistrate or clerk of the court may give~~
36 ~~notice of the fact to the department for a violation, except violations~~
37 ~~not required to be reported pursuant to paragraphs (1), (2), (3), (6),~~
38 ~~and (7) of subdivision (b) of Section 1803. If thereafter the fine or~~
39 ~~bail is fully paid, the magistrate or clerk of the court shall issue~~

1 and file with the department a certificate showing that the fine or
2 bail has been paid.

3 (e)

4 (b) If a person charged with a violation of Section 23152 or
5 23153, or Section 191.5 of the Penal Code, or subdivision (a) of
6 Section 192.5 of that code has violated a lawfully granted
7 continuance of his or her promise to appear in court or is released
8 from custody on his or her own recognizance and fails to appear
9 in court or before the person authorized to receive a deposit of
10 bail, or violated an order to appear in court, the magistrate or clerk
11 of the court shall give notice to the department of the failure to
12 appear. If thereafter the case in which the notice was given is
13 adjudicated or the person who has violated the court order appears
14 in court or otherwise satisfies the order of the court, the magistrate
15 or clerk of the court hearing the case shall prepare and forward to
16 the department a certificate to that effect.

17 (d)

18 (c) Except as required under subdivision (e), (b), the court shall
19 mail a courtesy warning notice to the defendant by first-class mail
20 at the address shown on the notice to appear, at least 10 days before
21 sending a notice to the department under this section.

22 (e)

23 (d) If the court notifies the department of a failure to appear or
24 pay a fine or bail pursuant to subdivision (a) or (b), pursuant to
25 subdivision (a), no arrest warrant shall be issued for an alleged
26 violation of subdivision (a) or (b) of Section 40508, unless one of
27 the following criteria is met:

28 (1) The alleged underlying offense is a misdemeanor or felony.

29 (2) The alleged underlying offense is a violation of any provision
30 of Division 12 (commencing with Section 24000), Division 13
31 (commencing with Section 29000), or Division 15 (commencing
32 with Section 35000), required to be reported pursuant to Section
33 1803.

34 (3) The driver's record does not show that the defendant has a
35 valid California driver's license.

36 (4) The driver's record shows an unresolved charge that the
37 defendant is in violation of his or her written promise to appear
38 for one or more other alleged violations of the law.

39 (f)

1 (e) Except as required under subdivision ~~(e)~~, (b), in addition to
2 the proceedings described in this section, the court may elect to
3 notify the department pursuant to subdivision ~~(e)~~ (b) of Section
4 40509.

5 ~~(g) This section is applicable to courts that have elected to~~
6 ~~provide notice pursuant to subdivision (b). The method of~~
7 ~~commencing or terminating an election to proceed under this~~
8 ~~section shall be prescribed by the department.~~

9 (h)

10 (f) A violation subject to Section ~~40001~~, 40001 that is the
11 responsibility of the owner of the ~~vehicle~~, vehicle shall not be
12 reported under this section.

13 SEC. 55. Section 209 of the Welfare and Institutions Code is
14 amended to read:

15 209. (a) (1) The judge of the juvenile court of a county, or,
16 if there is more than one judge, any of the judges of the juvenile
17 court shall, at least annually, inspect any jail, juvenile hall, or
18 special purpose juvenile hall that, in the preceding calendar year,
19 was used for confinement, for more than 24 hours, of any minor.

20 The

21 (2) The judge shall promptly notify the operator of the jail,
22 juvenile hall, or special purpose juvenile hall of any observed
23 noncompliance with minimum standards for juvenile facilities
24 adopted by the Board of *State and Community* Corrections under
25 Section 210. Based on the facility's subsequent compliance with
26 the provisions of subdivisions (d) and (e), the judge shall thereafter
27 make a finding whether the facility is a suitable place for the
28 confinement of minors and shall note the finding in the minutes
29 of the court.

30 The

31 (3) The Board of *State and Community* Corrections shall conduct
32 a biennial inspection of each jail, juvenile hall, lockup, or special
33 purpose juvenile hall situated in this state that, during the preceding
34 calendar year, was used for confinement, for more than 24 hours,
35 of any minor. The board shall promptly notify the operator of any
36 jail, juvenile hall, lockup, or special purpose juvenile hall of any
37 noncompliance found, upon inspection, with any of the minimum
38 standards for juvenile facilities adopted by the Board of *State and*
39 *Community* Corrections under Section 210 or 210.2.

40 If

1 (4) *If* either a judge of the juvenile court or the board, after
2 inspection of a jail, juvenile hall, special purpose juvenile hall, or
3 lockup, finds that it is not being operated and maintained as a
4 suitable place for the confinement of minors, the juvenile court or
5 the board shall give notice of its finding to all persons having
6 authority to confine minors pursuant to this chapter and
7 commencing 60 days thereafter the facility shall not be used for
8 confinement of minors until the time the judge or board, as the
9 case may be, finds, after reinspection of the facility that the
10 conditions that rendered the facility unsuitable have been remedied,
11 and the facility is a suitable place for confinement of minors.

12 *The*

13 (5) *The* custodian of each jail, juvenile hall, special purpose
14 juvenile hall, and lockup shall make any reports as may be
15 requested by the board or the juvenile court to effectuate the
16 purposes of this section.

17 (b) (1) *The* Board of *State and Community* Corrections may
18 inspect any law enforcement facility that contains a lockup for
19 adults and that it has reason to believe may not be in compliance
20 with the requirements of subdivision (d) of Section 207.1 or with
21 the certification requirements or standards adopted under Section
22 210.2. A judge of the juvenile court shall conduct an annual
23 inspection, either in person or through a delegated member of the
24 appropriate county or regional juvenile justice commission, of any
25 law enforcement facility that contains a lockup for adults which,
26 in the preceding year, was used for the secure detention of any
27 minor. If the law enforcement facility is observed, upon inspection,
28 to be out of compliance with the requirements of subdivision (d)
29 of Section 207.1, or with any standard adopted under Section 210.2,
30 the board or the judge shall promptly notify the operator of the
31 law enforcement facility of the specific points of noncompliance.

32 *If*

33 (2) *If* either the judge or the board finds after inspection that the
34 facility is not being operated and maintained in conformity with
35 the requirements of subdivision (d) of Section 207.1 or with the
36 certification requirements or standards adopted under Section
37 210.2, the juvenile court or the board shall give notice of its finding
38 to all persons having authority to securely detain minors in the
39 facility, and, commencing 60 days thereafter, the facility shall not
40 be used for the secure detention of a minor until the time the judge

1 or the board, as the case may be, finds, after reinspection, that the
2 conditions that rendered the facility unsuitable have been remedied,
3 and the facility is a suitable place for the confinement of minors
4 in conformity with all requirements of law.

5 ~~The~~

6 (3) *The* custodian of each law enforcement facility that contains
7 a lockup for adults shall make any report as may be requested by
8 the board or by the juvenile court to effectuate the purposes of this
9 subdivision.

10 (c) The board shall collect biennial data on the number, place,
11 and duration of confinements of minors in jails and lockups, as
12 defined in subdivision (i) of Section 207.1, and shall publish
13 biennially this information in the form as it deems appropriate for
14 the purpose of providing public information on continuing
15 compliance with the requirements of Section 207.1.

16 (d) Except as provided in subdivision (e), a juvenile hall, special
17 purpose juvenile hall, law enforcement facility, or jail shall be
18 unsuitable for the confinement of minors if it is not in compliance
19 with one or more of the minimum standards for juvenile facilities
20 adopted by the Board of *State and Community* Corrections under
21 Section 210 or 210.2, and if, within 60 days of having received
22 notice of noncompliance from the board or the judge of the juvenile
23 court, the juvenile hall, special purpose juvenile hall, law
24 enforcement facility, or jail has failed to file an approved corrective
25 action plan with the Board of *State and Community* Corrections
26 to correct the condition or conditions of noncompliance of which
27 it has been notified. The corrective action plan shall outline how
28 the juvenile hall, special purpose juvenile hall, law enforcement
29 facility, or jail plans to correct the issue of noncompliance and
30 give a reasonable timeframe, not to exceed 90 days, for resolution,
31 that the board shall either approve or deny. In the event the juvenile
32 hall, special purpose juvenile hall, law enforcement facility, or jail
33 fails to meet its commitment to resolve noncompliance issues
34 outlined in its corrective action plan, the board shall make a
35 determination of suitability at its next scheduled meeting.

36 (e) If a juvenile hall is not in compliance with one or more of
37 the minimum standards for juvenile facilities adopted by the Board
38 of *State and Community* Corrections under Section 210, and where
39 the noncompliance arises from sustained occupancy levels that are
40 above the population capacity permitted by applicable minimum

1 standards, the juvenile hall shall be unsuitable for the confinement
2 of minors if the board or the judge of the juvenile court determines
3 that conditions in the facility pose a serious risk to the health,
4 safety, or welfare of minors confined in the facility. In making its
5 determination of suitability, the board or the judge of the juvenile
6 court shall consider, in addition to the noncompliance with
7 minimum standards, the totality of conditions in the juvenile hall,
8 including the extent and duration of overpopulation as well as
9 staffing, program, physical plant, and medical and mental health
10 care conditions in the facility. The Board of *State and Community*
11 Corrections may develop guidelines and procedures for its
12 determination of suitability in accordance with this subdivision
13 and to assist counties in bringing their juvenile halls into full
14 compliance with applicable minimum standards. This subdivision
15 shall not be interpreted to exempt a juvenile hall from having to
16 correct, in accordance with the provisions of subdivision (d), any
17 minimum standard violations that are not directly related to
18 overpopulation of the facility.

19 (f) In accordance with the federal Juvenile Justice and
20 Delinquency Prevention Act of 2002 (42 U.S.C. Sec. 5601 et seq.),
21 the Corrections Standards Authority shall inspect and collect
22 relevant data from any facility that may be used for the secure
23 detention of minors.

24 (g) *All reports and notices of findings prepared by the Board*
25 *of State and Community Corrections pursuant to this section shall*
26 *be posted on the Board of State and Community Corrections'*
27 *Internet Web site in a manner in which they are accessible to the*
28 *public.*

29 *SEC. 56. Section 270 of the Welfare and Institutions Code is*
30 *repealed.*

31 ~~270. Except as provided in Section 69906.5 of the Government~~
32 ~~Code, there shall be in each county the offices of probation officer,~~
33 ~~assistant probation officer, and deputy probation officer. A~~
34 ~~probation officer shall be appointed in every county.~~

35 ~~Probation officers in any county shall be nominated by the~~
36 ~~juvenile justice commission or regional juvenile justice commission~~
37 ~~of such county in such manner as the judge of the juvenile court~~
38 ~~in that county shall direct, and shall then be appointed by such~~
39 ~~judge.~~

1 The probation officer may appoint as many deputies or assistant
2 probation officers as the probation officer desires; but such deputies
3 or assistant probation officers shall not have authority to act until
4 their appointments have been approved by a majority vote of the
5 members of the juvenile justice commission, and by the judge of
6 the juvenile court. The term of office of each such deputy or
7 assistant probation officer shall expire with the term of the
8 probation officer who appointed the deputy or assistant probation
9 officer, but the probation officer, with the written approval of the
10 majority of the members of the juvenile justice commission and
11 of the judge of the juvenile court, may, in the probation officer's
12 discretion, revoke and terminate any such appointment at any time.

13 Probation officers may at any time be removed by the judge of
14 the juvenile court for good cause shown; and the judge of the
15 juvenile court may in the judge's discretion at any time remove
16 any such probation officer with the written approval of a majority
17 of the members of the juvenile justice commission.

18 *SEC. 57. Section 270 is added to the Welfare and Institutions*
19 *Code, to read:*

20 *270. The chief probation officer shall be appointed and*
21 *compensation for the position shall be determined as provided in*
22 *Chapter 16 (commencing with Section 27770) of Part 3 of Division*
23 *2 of Title 3 of the Government Code.*

24 *SEC. 58. Section 271 of the Welfare and Institutions Code is*
25 *repealed.*

26 *271. In counties having charters which provide a method of*
27 *appointment and tenure of office for probation officers, assistant*
28 *probation officers, deputy probation officers, and the*
29 *superintendent, matron, and other employees of the juvenile hall,*
30 *such charter provisions shall control as to such matters, and in*
31 *counties which have established or hereafter establish merit or*
32 *civil service systems governing the methods of, appointment and*
33 *the tenure of office of, probation officers, assistant probation*
34 *officers, deputy probation officers, and of the superintendents,*
35 *matrons and other employees of the juvenile hall, the provisions*
36 *of such merit or civil service systems shall control as to such*
37 *matters; but in all other counties, such matters shall be controlled*
38 *exclusively by the provisions of this code.*

39 *SEC. 59. Section 271 is added to the Welfare and Institutions*
40 *Code, to read:*

1 271. *In counties having charters that provide a method of*
2 *appointment and tenure of office for the superintendent, matron,*
3 *and other employees of the juvenile hall, the charter provisions*
4 *shall control as to those matters and, in counties that have*
5 *established or hereafter establish merit or civil service systems*
6 *governing the methods of appointment and the tenure of office for*
7 *the superintendent, matrons, and other employees of the juvenile*
8 *hall, the provisions of the merit or civil service systems shall*
9 *control as to those matters. In all other counties, these matters*
10 *shall be controlled exclusively by the provisions of this code.*

11 *SEC. 60. Section 1982 of the Welfare and Institutions Code is*
12 *amended to read:*

13 1982. (a) The Department of Corrections and Rehabilitation,
14 Division of Juvenile Justice ~~Justice~~, shall provide an annual report,
15 commencing July 10, 2011, and annually thereafter, for the
16 preceding fiscal year, with information sorted by county, to the
17 Department of Finance that includes, but is not limited to, the
18 following:

19 (1) ~~The name~~ *Identifying information* of each ward discharged
20 from a Division of Juvenile Justice facility on or after 90 days after
21 the enactment of this section, excluding parole violators who were
22 originally released to parole on or after 90 days after the enactment
23 of this section, and the date each ward was released to local
24 supervision.

25 (2) The name of each parolee recalled pursuant to Section 731.1
26 on or after 90 days after the enactment of this section, the
27 remaining term of supervision, and the date each ward was recalled.

28 (b) ~~The Chief Probation Officers of California shall, in~~
29 ~~consultation with the Corrections Standards Authority, (1) The~~
30 *Board of State and Community Corrections shall* provide an annual
31 report, commencing on July 10, 2011, and annually thereafter, for
32 the preceding fiscal year, with information sorted by county, to
33 the Department of Finance that includes, but is not limited to, the
34 following: ~~the name~~ *identifying information* of each discharged
35 ward returned to a local juvenile detention facility for violating a
36 condition of court-ordered supervision that occurred during the
37 first 24 months after the ward's initial release to local supervision,
38 and the number of months each violator was housed in a local
39 juvenile detention facility. ~~The Corrections Standards Authority~~

1 *Board of State and Community Corrections* may audit the
2 information included in the annual report required by this section.

3 (2) *A county that does not submit data pursuant to this*
4 *subdivision may not receive funding pursuant to subdivision (c)*
5 *of Section 1984.*

6 (c) *For the purposes of this section, “identifying information”*
7 *means a unique identifier, which may include the ward’s initials,*
8 *that allows the Department of Finance to reconcile information*
9 *provided by the Department of Corrections and Rehabilitation,*
10 *Division of Juvenile Justice, pursuant to subdivision (a) with*
11 *information provided by the Board of State and Community*
12 *Corrections pursuant to subdivision (b), while preserving the*
13 *confidentiality of the ward. The reports created pursuant to this*
14 *section shall not be considered record information within the*
15 *meaning of Section 11075 of the Penal Code or Section 825 of this*
16 *code.*

17 *SEC. 61. Section 4100 of the Welfare and Institutions Code is*
18 *amended to read:*

19 4100. The department has jurisdiction over the following
20 ~~hospitals:~~ *facilities:*

21 (a) Atascadero State Hospital.

22 (b) Coalinga State Hospital.

23 (c) Metropolitan State Hospital.

24 (d) Napa State Hospital.

25 (e) Patton State Hospital.

26 (f) (1) *The Admission, Evaluation, and Stabilization (AES)*
27 *Center in the County of Kern, and other AES Centers as defined*
28 *by regulation.*

29 (2) *The Director of State Hospitals may adopt emergency*
30 *regulations in accordance with the Administrative Procedure Act*
31 *(Chapter 3.5 (commencing with Section 11340) of Part 1 of*
32 *Division of 3 of Title 2 of the Government Code) to implement this*
33 *subdivision. The adoption of emergency regulations under this*
34 *paragraph is deemed to address an emergency, for purposes of*
35 *Sections 11346.1 and 11349.6 of the Government Code, and the*
36 *Director of State Hospitals is hereby exempted for this purpose*
37 *from the requirements of subdivision (b) of Section 11346.1 of the*
38 *Government Code.*

1 (g) A county jail treatment facility under contract with the State
2 Department of State Hospitals to provide competency restoration
3 services.

4 (f)

5 (h) Any other State Department of State Hospitals facility
6 subject to available funding by the Legislature.

7 SEC. 62. Section 4358.5 of the Welfare and Institutions Code
8 is amended to read:

9 4358.5. Funds deposited into the Traumatic Brain Injury Fund
10 pursuant to ~~paragraph (8)~~ of subdivision (f) of Section 1464 of the
11 Penal Code may be matched by federal vocational rehabilitation
12 services funds for implementation of the Traumatic Brain Injury
13 program pursuant to this chapter. However, this matching of funds
14 shall occur only to the extent it is permitted by other state and
15 federal law, and to the extent the matching of funds would be
16 consistent with the policies and priorities of the department.

17 SEC. 63. Section 7228 of the Welfare and Institutions Code is
18 amended to read:

19 7228. Prior to admission, the State Department of State
20 Hospitals shall evaluate each patient committed pursuant to Section
21 1026 or 1370 of the Penal Code to determine the placement of the
22 patient to the appropriate ~~state hospital~~. *State Department of State*
23 *Hospitals facility, as defined in Section 4100.* The State Department
24 of State Hospitals shall utilize the documents provided pursuant
25 to subdivision (e) of Section 1026 of the Penal Code and paragraph
26 (2) of subdivision (b) of Section 1370 of the Penal Code to make
27 the appropriate placement. A patient determined to be a high
28 security risk shall be treated in the department's most secure
29 facilities pursuant to Section 7230. A Penal Code patient not
30 needing this level of security shall be treated as near to the patient's
31 community as possible if an appropriate treatment program is
32 available.

33 SEC. 64. Section 7234 of the Welfare and Institutions Code is
34 amended to read:

35 7234. (a) (1) A Patient Management Unit (PMU) shall be
36 established within the State Department of State Hospitals to
37 facilitate patient movement across all facilities under its ~~jurisdiction~~
38 *jurisdiction, as defined in Section 4100,* and any psychiatric
39 programs operated by the State Department of State Hospitals

1 pursuant to a memorandum of understanding with the Department
2 of Corrections and Rehabilitation.

3 (2) The PMU's responsibilities shall include, but not be limited
4 to, oversight and centralized management of patient admissions,
5 and collection of data for reports and patient population projections.

6 (b) The State Department of State Hospitals shall adopt
7 regulations, consistent with this article, concerning policies and
8 procedures to be implemented by the PMU, including, but not
9 limited to, both of the following:

10 (1) Policies and procedures for patient referral to the State
11 Department of State Hospitals.

12 (2) Screening criteria that ensures that patients are placed in a
13 ~~state hospital~~ *State Department of State Hospitals facility* or
14 psychiatric program closest to their county of residence in the
15 absence of a compelling reason to place the patient in another
16 facility. Compelling reasons may include, but not be limited to,
17 the patient's specialized psychiatric, medical, or safety needs, and
18 the availability of beds for his or her commitment type.

19 (c) The Director of State Hospitals may adopt emergency
20 regulations in accordance with the Administrative Procedures Act
21 (Chapter 3.5 (commencing with Section 11340) of Part 1 of
22 Division 3 of Title 2 of the Government Code) to implement this
23 section. The adoption of an emergency regulation under this
24 paragraph is deemed to address an emergency, for purposes of
25 Sections 11346.1 and 11349.6 of the Government Code, and the
26 Director of State Hospitals is hereby exempted for this purpose
27 from the requirements of subdivision (b) of Section 11346.1 of
28 the Government Code.

29 *SEC. 65. The provisions of Section 4 of this act, amending*
30 *Section 384 of the Code of Civil Procedure, are severable. If any*
31 *provision of Section 4 of this act or its application is held invalid,*
32 *that invalidity shall not affect other provisions or applications that*
33 *can be given effect without the invalid provision or application.*

34 *SEC. 66. No reimbursement is required by this act pursuant*
35 *to Section 6 of Article XIII B of the California Constitution because*
36 *the only costs that may be incurred by a local agency or school*
37 *district will be incurred because this act creates a new crime or*
38 *infraction, eliminates a crime or infraction, or changes the penalty*
39 *for a crime or infraction, within the meaning of Section 17556 of*
40 *the Government Code, or changes the definition of a crime within*

1 *the meaning of Section 6 of Article XIII B of the California*
2 *Constitution.*

3 *SEC. 67. This act is a bill providing for appropriations related*
4 *to the Budget Bill within the meaning of subdivision (e) of Section*
5 *12 of Article IV of the California Constitution, has been identified*
6 *as related to the budget in the Budget Bill, and shall take effect*
7 *immediately.*

8 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
9 ~~changes relating to the Budget Act of 2017.~~

O

AMENDED IN SENATE JUNE 8, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 115

Introduced by Assembly ~~Member Ting~~ **Members Ting, Arambula, Bloom, Caballero, Chiu, Cooper, Cristina Garcia, Jones-Sawyer, Limón, McCarty, Medina, Mullin, Muratsuchi, O'Donnell, Rubio, Mark Stone, Weber, and Wood**

January 10, 2017

~~An act relating to the Budget Act of 2017.~~ *An act to amend Sections 16321 and 21130 of, and to add Section 54238.8 to, the Government Code, to amend Sections 6701, 6971, and 22161 of, and to add Section 20155.2 to, the Public Contract Code, to amend Sections 99312.1 and 99314.9 of the Public Utilities Code, to amend Sections 11050, 11051, 11053, and 60050 of the Revenue and Taxation Code, to amend Sections 2032, 2032.5, 2033.5, 2036, 2106, and 2382 of the Streets and Highways Code, and to amend Sections 4156, 9250.6, 12800.7, and 12811 of the Vehicle Code, relating to transportation, making an appropriation therefor, to take effect immediately, bill related to the budget.*

LEGISLATIVE COUNSEL'S DIGEST

AB 115, as amended, Ting. ~~Budget Act of 2017.~~ *Transportation.*

(1) Existing law requires that a patrol member of the Public Employees' Retirement System (PERS) who is subject to specified benefit formulas be retired in the calendar month succeeding that in which he or she attains 60 years of age. Existing law, until January 1, 2018, exempts from this requirement a Commissioner of the California Highway Patrol, as specified, who was appointed on or after January 1, 2008.

This bill would continue this exemption until April 1, 2019.

(2) Existing law declares the intent of the Legislature to preserve, upgrade, and expand the supply of housing to persons and families of low or moderate income through the sale of specified surplus residential property owned by public agencies. Existing law establishes priorities and procedures that any state agency disposing of that surplus residential property is required to follow.

The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, existing property tax law defines "full cash value" as the assessor's fair market value valuation of real property as shown on the 1975-76 tax bill under "full cash value" or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. Existing property tax law generally defines this "full cash value" of property as the property's "fair market value" and defines these terms to mean the amount of cash or its equivalent that property would bring if exposed for sale in the open market under conditions in which neither buyer nor seller could take advantage of the exigencies of the other, and both the buyer and the seller have knowledge of all of the uses and purposes to which the property is adapted and for which it is capable of being used, and of the enforceable restrictions upon those uses and purposes.

This bill would require surplus residential property purchased at an affordable price pursuant to the procedures described above to be assessed at its affordable price for property tax purposes. The bill would also require surplus residential property purchased at a reasonable price pursuant to the procedures described above to be assessed at its reasonable price for property tax purposes. The bill would provide that these provisions only apply to surplus residential properties originally acquired for the construction of State Route 710, in the County of Los Angeles.

By imposing new duties upon local government officials, this 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 County of Los Angeles.

Existing law requires the state to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding those provisions, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

(3) Existing law authorizes the Department of Transportation to engage in a Construction Manager/General Contractor (CM/GC) project delivery method, as specified, for projects for the construction of a highway, bridge, or tunnel. Existing law authorizes the department to use the CM/GC method on no more than 12 projects, and requires at least 10 of those projects to have construction costs greater than \$10,000,000. Existing law prohibits the department from delegating the contracting authority. Existing law requires specified information provided to the department pursuant to these provisions to be verified under oath.

This bill would authorize the department to enter into a contract using this method on 12 additional projects. The bill would authorize 2 of those additional projects to be authorized for projects in the County of Riverside. The bill would authorize the department to delegate contracting authority for those 2 projects and would authorize the Riverside County Transportation Commission (RCTC) to use the CM/GC method for these projects, with the first priority for projects listed in a specific item of the Budget Act of 2016, as amended. By expanding the authorization to use this method, the bill would expand the scope of the crime of perjury, thus imposing a state-mandated local program.

(4) Existing law authorizes regional transportation agencies, as defined, to use the CM/GC project delivery method, as specified, to design and construct certain expressways that are not on the state highway system if there is an evaluation of the traditional design-bid-build method of construction and of the CM/GC method and the board of the regional transportation agency adopts the method in a public meeting. Existing law defines the term "project" for these purposes to mean either the construction of an expressway that is not on the state highway system or the construction of specified bridges that are not on the state highway system. Existing law defines the term "regional transportation agency" for these purposes to include a joint powers agency established pursuant to the Joint Exercise of Powers Act and with the consent of a transportation planning agency or a county transportation commission for the jurisdiction in which the transportation project will be developed.

This bill would include in the definition of "project" the construction of railroad grade separations and bridge rehabilitations and replacements in the County of Riverside, as specified in a specific item of the Budget Act of 2016, as amended. The bill would include the

County of Riverside in the definition of the term “regional transportation agency.”

(5) The Local Agency Public Construction Act, until January 1, 2020, establishes a pilot program to allow the Counties of Alameda, Los Angeles, Riverside, San Bernardino, San Diego, Solano, and Yuba to select a bidder on the basis of best value, as defined, for specific construction projects.

This bill would authorize each of those counties, if the county is also responsible for delivery of a project included in a specific item of the Budget Act of 2016, as amended, to utilize the cost-plus-time bidding procedure for any of the projects specified in that budget item. The bill would define “cost-plus-time” bidding for that purpose.

(6) Existing law, until January 1, 2025, authorizes local agencies to use the design-build procurement process for public works projects. Existing law defines “local agency” as cities and counties, certain special districts relating to wastewater, solid waste, water recycling, and fire protection facilities, various governmental entities responsible for the construction of transit projects, and the San Diego Association of Governments. Existing law defines “project” specifically for each described category of local agency. Existing law defines “project” for cities and counties to mean the construction of a building or buildings and improvements directly related to the construction of a building or buildings, county sanitation wastewater treatment facilities, and park and recreational facilities, but excludes the construction of other infrastructure, including, but not limited to, streets and highways, public rail transit, or water resources facilities and infrastructure. Existing law defines “project” for transit entities to mean a transit capital project that begins a project solicitation on or after January 1, 2015, and excludes state highway construction or local street and road projects.

This bill would expand the project definitions for cities and counties and for transit districts, for up to 6 projects to be selected by the department, to include construction or rehabilitation of local streets and roads, including, but not limited to, bridge replacement and railroad grade separations. The bill would require 3 projects to be reserved for and selected by the RCTC, with the first priority for the projects listed in a specific budget item of the Budget Act of 2016, as amended.

(7) The contracting provisions of the County Transportation Commissions Act require that the purchase by the RCTC, of all supplies, equipment, and materials, and the construction of all facilities and

works, in excess of \$25,000, be by contract let to the lowest responsible bidder.

Existing law amends the Budget Act of 2016 to add an item of appropriation from the State Highway Account to the department for local assistance for the Riverside County Transportation Efficiency Corridor and establishes a schedule of funds for specific projects.

This bill would authorize the implementation of the 91 Toll Connector to Interstate 15 North project through any delivery method authorized in law, including, but not limited to, the design-build method or CM/GC method. The bill would additionally authorize that project to be implemented through an amendment or change to any existing contract for the Interstate 15 express lanes construction project or the State Highway Route 91 express lanes, if the RCTC, with the concurrence of the department, finds that to be a cost-effective method to accelerate the delivery of that project.

(8) This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Riverside.

(9) Existing law, the Road Repair and Accountability Act of 2017, establishes a comprehensive transportation funding program by increasing fuel taxes and imposing certain vehicle fees. Existing law provides for certain of the new revenues to be deposited in the Road Maintenance and Rehabilitation Account, the Public Transportation Account, or the State Highway Account to be used for specified transportation purposes. Existing law imposes various duties on the Controller in that regard. Existing law also imposes various duties on the Controller with respect to administration of the State Transit Assistance Program.

This bill would modify certain duties of the Controller relative to the Road Maintenance and Rehabilitation Account and the State Transit Assistance Program. The bill would also correct a number of erroneous cross-references and make other nonsubstantive changes.

(10) The Road Repair and Accountability Act of 2017 continuously appropriates \$200,000,000 annually from the Road Maintenance and Rehabilitation Account for allocation by the California Transportation Commission to counties that have sought and received voter approval of taxes or that have imposed certain fees, which taxes or fees are dedicated solely to transportation improvements.

This bill would instead refer to local or regional transportation agencies rather than counties. The bill would provide that funds made available to those transportation agencies by the California

Transportation Commission may be used for other transportation improvement projects in addition to road maintenance and rehabilitation. By modifying the agencies eligible for an allocation of these funds and the authorized purposes for which these funds may be used, the bill would thereby make an appropriation.

(11) Existing law creates the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking, with specified available funds to be awarded to eligible projects by the California Transportation Commission and regional transportation agencies. Existing law requires the California Transportation Commission to adopt a program of projects by April 1 of each odd-numbered year and requires the commission to adopt guidelines for the program.

This bill would require the guidelines adopted by the commission to authorize an implementing agency to expend its own funds in advance of an allocation of funds to the project by the commission and to subsequently be reimbursed for eligible expenditures if the agency, for a project programmed in a future fiscal year, receives commission approval in the form of a letter of no prejudice.

(12) Existing law prohibits a person from driving, moving, or leaving standing upon a highway any motor vehicle, as defined, that has been registered in violation of provisions regulating vehicle emissions.

Existing law, beginning January 1, 2020, requires the Department of Motor Vehicles to confirm, prior to the initial registration or the transfer of ownership and registration of a diesel-fueled vehicle with a gross vehicle weight rating of more than 14,000 pounds, that the vehicle is compliant with, or exempt from, applicable air pollution control technology requirements, pursuant to specified provisions. Existing law requires the department to refuse registration, or renewal or transfer of registration, for certain diesel-fueled vehicles, based on weight and model year, that are subject to specified provisions relating to the reduction of emissions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from in-use diesel-fueled vehicles. Existing law authorizes the department to allow registration, or renewal or transfer of registration, for any diesel-fueled vehicle that has been reported to the State Air Resources Board, and is using an approved exemption, or is compliant with applicable air pollution control technology requirements, pursuant to specified provisions.

Existing law authorizes the department, in its discretion, to issue a temporary permit, for a fee of \$50, to operate a vehicle when a payment of fees has been accepted in an amount to be determined by the department and paid to the department by the owner or other person in lawful possession of the vehicle. Existing law also authorizes the department to issue a temporary permit to operate a diesel-fueled vehicle for which registration is otherwise required to be refused.

This bill would exempt the diesel-fueled vehicles issued a temporary permit from payment of the \$50 fee.

(13) Existing law imposes a vehicle improvement fee under the Vehicle License Fee Law, but exempts certain vehicles from payment of the fee, including commercial vehicles with an unladen weight of more than 10,000 pounds.

This bill would also exempt a vehicle issued apportioned registration pursuant to the International Registration Plan from payment of the fee.

(14) Existing law defines “zero-emission vehicle” for purposes of the road improvement fee imposed by the Road Repair and Accountability Act of 2017 on zero-emission vehicles.

This bill would revise the definition of zero-emission vehicle to exclude from the definition any other motor vehicle that is able to operate on any fuel other than gasoline or diesel fuel. The bill would also exempt from the fee a vehicle issued apportioned registration pursuant to the International Registration Plan.

(15) Existing law requires the Department of Motor Vehicles to issue a driver’s license to an applicant when the department determines that the applicant is lawfully entitled to a license, and requires the license to contain, among other things, the mailing address of the licensee. Upon application for an original or duplicate license, existing law authorizes the department to require an applicant to produce any identification that it determines necessary in order to ensure that the name of the applicant stated in the application is his or her true, full name and that his or her residence address as set forth in the application is his or her true residence address.

This bill would require a driver’s license to contain either the mailing address or residence address of the licensee. The bill would authorize the department to require an applicant to produce any identification for the above-specified purposes upon application for a renewal of a driver’s license in addition to an application for an original or duplicate license.

(16) Existing law provides that guidelines adopted to implement transportation programs pursuant to the Road Repair and Accountability Act of 2017 by the California Transportation Commission, the Department of Transportation, the Transportation Agency, or any other state agency shall be exempt from the Administrative Procedure Act.

This bill would require any guidelines of the Department of Transportation or the Transportation Agency to implement the Road Repair and Accountability Act of 2017 to be adopted only after the implementing state agency has posted formal draft guidelines on the agency's Internet Web site and conducted at least 2 public workshops or hearings on formal draft guidelines no sooner than 30 days after the formal draft guidelines are posted. The bill would also require the implementing state agency to transmit the formal draft guidelines to the fiscal committees and to the appropriate policy committees of the Legislature.

(17) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(18) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2017.~~

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 16321 of the Government Code is
 2 amended to read:
 3 16321. The amount of outstanding loans made pursuant to
 4 Section 14556.8 is seven hundred six million dollars
 5 (\$706,000,000). This amount shall be repaid from the General
 6 Fund pursuant to subdivision (c) of Section 20 of Article XVI of

1 the California Constitution no later than June 30, 2020, and upon
2 repayment of this amount all loans authorized pursuant to Section
3 14556.8 and any associated interest shall be deemed repaid. The
4 loans shall be repaid proportionately and in equal installments over
5 three years. The Department of Finance shall prepare a loan
6 repayment schedule, pursuant to which the outstanding loans shall
7 be repaid by June 30, 2020, as follows:

8 (a) Two hundred fifty-six million dollars (\$256,000,000) for
9 transfer to the Public Transportation Account, to be allocated as
10 follows:

11 (1) Up to twenty million dollars (\$20,000,000) to local and
12 regional agencies for climate change adaptation planning.

13 (2) The remainder to the Transit and Intercity Rail Capital
14 Program as authorized in Part 2 (commencing with Section 75220)
15 of Division 44 of the Public Resources Code.

16 (b) Two hundred twenty-five million dollars (\$225,000,000)
17 for transfer to the State Highway Account, for the State Highway
18 Operation and Protection Program.

19 (c) Two hundred twenty-five million dollars (\$225,000,000) is
20 hereby continuously appropriated without regard to fiscal year to
21 the Controller for apportionment to cities and counties for local
22 streets and roads pursuant to the formula in *clauses (i) and (ii) of*
23 *subparagraph (C) of paragraph (3) of subdivision (a) of Section*
24 *2103 of the Streets and Highways Code.*

25 *SEC. 2. Section 21130 of the Government Code, as amended*
26 *by Section 3 of Chapter 778 of the Statutes of 2013, is amended*
27 *to read:*

28 21130. (a) Except as provided in subdivision (b), every patrol
29 member subject to Section 21362, 21362.2, or 21363.1, as
30 applicable, shall be retired on the first day of the calendar month
31 succeeding that in which he or she attains the age of 60 years.

32 (b) Subdivision (a) does not apply to a Commissioner of the
33 California Highway Patrol, as specified in Section 2107 of the
34 Vehicle Code, appointed on or after January 1, 2008.

35 (c) This section shall remain in effect only until *January April*
36 *1, 2018, 2019, and as of that date is repealed, unless a later enacted*
37 *statute, that is enacted before January 1, 2018, deletes or extends*
38 *that date: repealed.*

1 *SEC. 3. Section 21130 of the Government Code, as added by*
2 *Section 4 of Chapter 778 of the Statutes of 2013, is amended to*
3 *read:*

4 21130. (a) Every patrol member subject to Section 21362,
5 21362.2, or 21363.1, as applicable, shall be retired on the first day
6 of the calendar month succeeding that in which he or she attains
7 the age of 60 years.

8 (b) This section shall be operative ~~January April 1, 2018.~~ 2019.

9 *SEC. 4. Section 54238.8 is added to the Government Code, to*
10 *read:*

11 54238.8. (a) *Any surplus residential property purchased at*
12 *an affordable price pursuant to this article shall be assessed at its*
13 *affordable price for property tax purposes.*

14 (b) *Any surplus residential property purchased at a reasonable*
15 *price pursuant to this article shall be assessed at its reasonable*
16 *price for property tax purposes.*

17 (c) *This section shall only apply to surplus residential properties*
18 *for State Route 710, in the County of Los Angeles.*

19 *SEC. 5. Section 6701 of the Public Contract Code is amended*
20 *to read:*

21 6701. (a) The Construction Manager/General Contractor
22 method provided by this chapter may be used by the department,
23 but is not limited to, when it is anticipated that it will reduce project
24 costs or expedite project completion in a manner that is not
25 achievable through the design-bid-build method. Notwithstanding
26 any other law, for projects utilizing the Construction
27 Manager/General Contractor method provided by this chapter, the
28 department shall advertise, award, and administer the Construction
29 Manager/General Contractor contract. The department shall not
30 delegate the contracting ~~authority.~~ *authority, except for the two*
31 *projects reserved for projects in the County of Riverside as*
32 *provided for in paragraph (2) of subdivision (b).*

33 (b) (1) The department may use the Construction
34 Manager/General Contractor method on no more than 12 projects,
35 at least 10 of which shall have construction costs greater than ten
36 million dollars (\$10,000,000).

37 (2) *In recognition of the additional transportation funds made*
38 *available by the Road Repair and Accountability Act of 2017*
39 *(Chapter 5 of the Statutes of 2017), and to accelerate the delivery*
40 *of transportation projects to the public, the department may use*

1 *the Construction Manager/General Contractor method on no more*
2 *than 12 projects in addition to the projects authorized by*
3 *paragraph (1). Consistent with Provision 2 of Item 2660-110-0042*
4 *of Section 2.00 of the Budget Act of 2016, as amended by Chapter*
5 *7 of the Statutes of 2017, two of the additional projects shall be*
6 *authorized for projects in the County of Riverside and the Riverside*
7 *County Transportation Commission may use the Construction*
8 *Manager/General Contractor method for these projects, with the*
9 *first priority for the projects listed in that budget item.*

10 (c) On at least ~~eight~~ 16 of the projects *delivered by the*
11 *department* utilizing the Construction Manager/General Contractor
12 method provided by this chapter, the department shall use
13 department employees or consultants under contract with the
14 department to perform all project design and engineering services
15 related to design required for Construction Manager/General
16 Contractor project delivery consistent with Article XXII of the
17 California Constitution. On all ~~12 projects~~, *projects delivered by*
18 *the department*, the department shall use department employees
19 or consultants under contract with the department to perform all
20 construction inspection services required for Construction
21 Manager/General Contractor project delivery consistent with
22 Article XXII of the California Constitution. Department resources,
23 including personnel requirements, necessary to perform all services
24 described in this subdivision shall be included in the department's
25 capital outlay support program for workload purposes in the annual
26 Budget Act.

27 (d) (1) The department shall prepare and submit to the
28 Legislature, no later than July 1 of each year during which any
29 project using the Construction Manager/General Contractor method
30 is ongoing, a report that describes each project and provides
31 relevant data, including, but not limited to, the stage of completion,
32 district, cost, description, status, and estimated time to completion.

33 (2) The department shall prepare and submit to the Legislature,
34 no later than July 1 of the year after any project using the
35 Construction Manager/General Contractor method has been
36 completed, a report that includes, in addition to the data in
37 paragraph (1), all of the following:

38 (A) Data on initial cost estimates, actual cost upon completion,
39 and the reasons for any difference.

1 (B) Estimated time for completion, actual time of completion,
2 and the reasons for any difference.

3 (C) The number and dollar value of any change orders for all
4 projects completed using the Construction Manager/General
5 Contractor method.

6 (e) (1) A report to be submitted pursuant to subdivision (d)
7 shall be submitted in compliance with Section 9795 of the
8 Government Code.

9 (2) Notwithstanding Section 10231.5 of the Government Code,
10 the requirement for submitting a report imposed under subdivision
11 (d) is inoperative on July 1 of the year following the submission
12 of the final report upon completion of the fourth project of the
13 department that uses the Construction Manager/General Contractor
14 method.

15 *SEC. 6. Section 6971 of the Public Contract Code is amended*
16 *to read:*

17 6971. (a) *The Legislature finds and declares that the County*
18 *of Riverside should be considered a transportation planning agency*
19 *for the purposes of this chapter in order to effectuate the*
20 *construction of the railroad grade separations and bridge*
21 *rehabilitations and replacements specified in subparagraph (C)*
22 *of paragraph (4) of subdivision (b) using Construction*
23 *Manager/General Contractor authority. The passage of the Road*
24 *Repair and Accountability Act of 2017 (Chapter 5 of the Statutes*
25 *of 2017) provides additional transportation revenue to help close*
26 *the significant funding shortfalls and address the substantial*
27 *backlog of infrastructure projects that are in need of repair. The*
28 *geography, topography, and location of these railroad grade*
29 *separations and bridge rehabilitations and replacements projects*
30 *present many potential complex challenges, and the Construction*
31 *Manager/General Contractor method could reduce delays and*
32 *ensure that those challenges are fully understood at the outset of*
33 *construction.*

34 (b) For purposes of this chapter, the following definitions apply:

35 (a)

36 (1) "Construction manager" means a partnership, corporation,
37 or other legal entity that is able to provide appropriately licensed
38 contracting and engineering services as needed pursuant to a
39 Construction Manager/General Contractor method contract.

40 (b)

1 (2) "Construction Manager/General Contractor method" means
2 a project delivery method in which a construction manager is
3 procured to provide preconstruction services during the design
4 phase of the project and construction services during the
5 construction phase of the project. The contract for construction
6 services may be entered into at the same time as the contract for
7 preconstruction services, or at a later time. The execution of the
8 design and the construction of the project may be in sequential
9 phases or concurrent phases.

10 (e)

11 (3) "Preconstruction services" means advice during the design
12 phase, including, but not limited to, scheduling, pricing, and
13 phasing to assist the regional transportation agency to design a
14 more constructible project.

15 (d)

16 (4) "Project" means ~~either~~ any of the following:

17 (1)

18 (A) The construction of an expressway that is not on the state
19 highway system.

20 (2)

21 (B) The construction of the following bridges that are not on
22 the state highway system:

23 (A)

24 (i) Yerba Buena Island (YBI) West Side Bridges Seismic
25 Retrofit Project.

26 (B)

27 (ii) Yankee Jims Road Bridge Project in the County of Placer
28 (Replacement/Rehabilitation).

29 (C) *The construction of railroad grade separations and bridge
30 rehabilitations and replacements in the County of Riverside, as
31 specified in Item 2660-110-0042 of Section 2.00 of the Budget Act
32 of 2016, as amended by Chapter 7 of the Statutes of 2017.*

33 (e)

34 (5) "Regional transportation agency" means any of the
35 following:

36 (1)

37 (A) A transportation planning agency described in Section 29532
38 or 29532.1 of the Government Code.

39 (2)

1 (B) A county transportation commission established under
2 Section 130050, 130050.1, or 130050.2 of the Public Utilities
3 Code.

4 ~~(3)~~

5 (C) Any other local or regional transportation entity that is
6 designated by statute as a regional transportation agency.

7 ~~(4)~~

8 (D) A joint exercise of powers authority established pursuant
9 to Chapter 5 (commencing with Section 6500) of Division 7 of
10 Title 1 of the Government Code, with the consent of a
11 transportation planning agency or a county transportation
12 commission for the jurisdiction in which the transportation project
13 will be developed.

14 ~~(5)~~

15 (E) A local transportation authority created or designated
16 pursuant to Division 12.5 (commencing with Section 131000) or
17 Division 19 (commencing with Section 180000) of the Public
18 Utilities Code.

19 ~~(6)~~

20 (F) The Santa Clara Valley Transportation Authority established
21 pursuant to Part 12 (commencing with Section 100000) of Division
22 10 of the Public Utilities Code.

23 ~~(7)~~

24 (G) The County of Placer.

25 (H) *The County of Riverside.*

26 (c) *Nothing in this section shall extend any other authority to*
27 *the County of Riverside as a transportation planning agency under*
28 *any other law.*

29 *SEC. 7. Section 20155.2 is added to the Public Contract Code,*
30 *to read:*

31 *20155.2. (a) If a county as defined by Section 20155.1 is also*
32 *responsible for delivery of a project included in Item*
33 *2660-110-0042 of Section 2.00 of the Budget Act of 2016, as*
34 *amended by Chapter 7 of the Statutes of 2017, that county may*
35 *utilize the "cost-plus-time" bidding procedure, also known as*
36 *"A+B Bidding," under this chapter for any of the projects specified*
37 *in that budget item.*

38 (b) *"Cost-plus-time bidding" means a competitive procurement*
39 *process that uses a cost parameter (A) and a time parameter (B)*
40 *to determine a bid value.*

1 *SEC. 8. Section 22161 of the Public Contract Code is amended*
2 *to read:*

3 22161. For purposes of this chapter, the following definitions
4 apply:

5 (a) "Best value" means a value determined by evaluation of
6 objective criteria that relate to price, features, functions, life-cycle
7 costs, experience, and past performance. A best value determination
8 may involve the selection of the lowest cost proposal meeting the
9 interests of the local agency and meeting the objectives of the
10 project, selection of the best proposal for a stipulated sum
11 established by the procuring agency, or a tradeoff between price
12 and other specified factors.

13 (b) "Construction subcontract" means each subcontract awarded
14 by the design-build entity to a subcontractor that will perform work
15 or labor or render service to the design-build entity in or about the
16 construction of the work or improvement, or a subcontractor
17 licensed by the State of California that, under subcontract to the
18 design-build entity, specially fabricates and installs a portion of
19 the work or improvement according to detailed drawings contained
20 in the plans and specifications produced by the design-build team.

21 (c) "Design-build" means a project delivery process in which
22 both the design and construction of a project are procured from a
23 single entity.

24 (d) "Design-build entity" means a corporation, limited liability
25 company, partnership, joint venture, or other legal entity that is
26 able to provide appropriately licensed contracting, architectural,
27 and engineering services as needed pursuant to a design-build
28 contract.

29 (e) "Design-build team" means the design-build entity itself
30 and the individuals and other entities identified by the design-build
31 entity as members of its team. Members shall include the general
32 contractor and, if utilized in the design of the project, all electrical,
33 mechanical, and plumbing contractors.

34 (f) "Local agency" means the following:

35 (1) A city, county, or city and county.

36 (2) A special district that operates wastewater facilities, solid
37 waste management facilities, water recycling facilities, or fire
38 protection facilities.

39 (3) Any transit district, included transit district, municipal
40 operator, included municipal operator, any consolidated agency,

1 as described in Section 132353.1 of the Public Utilities Code, any
2 joint powers authority formed to provide transit service, any county
3 transportation commission created pursuant to Section 130050 of
4 the Public Utilities Code, or any other local or regional agency,
5 responsible for the construction of transit projects.

6 (4) The San Diego Association of Governments, as referenced
7 in the San Diego Regional Transportation Consolidation Act
8 (Chapter 3 (commencing with Section 132350) of Division 12.7
9 of the Public Utilities Code).

10 (g) (1) ~~For~~ *Except as specified in subdivision (h), for* a local
11 agency defined in paragraph (1) of subdivision (f), “project” means
12 the construction of a building or buildings and improvements
13 directly related to the construction of a building or buildings,
14 county sanitation wastewater treatment facilities, and park and
15 recreational facilities, but does not include the construction of
16 other infrastructure, including, but not limited to, streets and
17 highways, public rail transit, or water resources facilities and
18 infrastructure. For a local agency defined in paragraph (1) of
19 subdivision (f) that operates wastewater facilities, solid waste
20 management facilities, or water recycling facilities, “project” also
21 means the construction of regional and local wastewater treatment
22 facilities, regional and local solid waste facilities, or regional and
23 local water recycling facilities.

24 (2) For a local agency defined in paragraph (2) of subdivision
25 (f), “project” means the construction of regional and local
26 wastewater treatment facilities, regional and local solid waste
27 facilities, regional and local water recycling facilities, or fire
28 protection facilities.

29 (3) ~~For~~ *Except as specified in subdivision (h), for* a local agency
30 defined in paragraph (3) of subdivision (f), “project” means a
31 transit capital project that begins a project solicitation on or after
32 January 1, 2015. A “project,” as defined by this paragraph, that
33 begins the solicitation process before January 1, 2015, is subject
34 to Article 6.8 (commencing with Section 20209.5) of Chapter 1.
35 “Project,” as defined by this paragraph, does not include state
36 highway construction or local street and road projects.

37 (4) For a local agency defined in paragraph (4) of subdivision
38 (f), “project” has the same meaning as in paragraph (3), and in
39 addition shall include development projects adjacent, or physically

1 or functionally related, to transit facilities developed or jointly
2 developed by the local agency.

3 *(h) In recognition of the additional transportation funds made*
4 *available by the Road Repair and Accountability Act of 2017*
5 *(Chapter 5 of the Statutes of 2017), and to accelerate the delivery*
6 *of transportation projects to the public, in addition to the authority*
7 *provided in other subdivisions of this section, for a local agency*
8 *defined in paragraph (1) or (3) of subdivision (f), for up to six*
9 *projects to be selected by the Department of Transportation, a*
10 *“project” also means construction or rehabilitation of local streets*
11 *and roads, including, but not limited to, bridge replacement and*
12 *railroad grade separations. Consistent with Provision 2 of Item*
13 *2660-110-0042 of Section 2.00 of the Budget Act of 2016, as*
14 *amended by Chapter 7 of the Statutes of 2017, three projects shall*
15 *be reserved for and selected by the Riverside County*
16 *Transportation Commission, with the first priority for the projects*
17 *listed in that budget item.*

18 *SEC. 9. Section 99312.1 of the Public Utilities Code is amended*
19 *to read:*

20 99312.1. (a) Revenues transferred to the Public Transportation
21 Account pursuant to Sections 6051.8 and 6201.8 of the Revenue
22 and Taxation Code for the State Transit Assistance Program are
23 hereby continuously appropriated to the Controller for allocation
24 as follows:

25 (1) Fifty percent for allocation to transportation planning
26 agencies, county transportation commissions, and the San Diego
27 Metropolitan Transit Development Board pursuant to Section
28 99314.

29 (2) Fifty percent for allocation to transportation agencies, county
30 transportation commissions, and the San Diego Metropolitan
31 Transit Development Board for purposes of Section 99313.

32 (b) For purposes of this chapter, the revenues allocated pursuant
33 to this section shall be subject to the same requirements as revenues
34 allocated pursuant to subdivisions (b) and (c), as applicable, of
35 Section 99312.

36 (c) The revenues transferred to the Public Transportation
37 Account for the State Transit Assistance Program that are
38 attributable to subdivision (a) of Section 11053 of the Revenue
39 and Taxation Code are hereby continuously appropriated to the

1 Controller, and, upon allocation pursuant to Sections 99313 and
2 99314, shall only be expended on the following:

3 (1) Transit capital projects or services to maintain or repair a
4 transit operator's existing transit vehicle fleet or existing transit
5 facilities, including rehabilitation or modernization of existing
6 vehicles or facilities.

7 (2) The design, acquisition, and construction of new vehicles
8 or facilities that improve existing transit services.

9 (3) Transit services that complement local efforts for repair and
10 improvement of local transportation infrastructure.

11 (d) (1) Prior to receiving an apportionment of funds pursuant
12 to subdivision (c) from the Controller in a fiscal year, a recipient
13 transit agency shall submit to the Department of Transportation a
14 list of projects proposed to be funded with these funds. The list of
15 projects proposed to be funded with these funds shall include a
16 description and location of each proposed project, a proposed
17 schedule for the project's completion, and the estimated useful life
18 of the improvement. The project list shall not limit the flexibility
19 of a recipient transit agency to fund projects in accordance with
20 local needs and priorities so long as the projects are consistent
21 with subdivision (c).

22 (2) The department shall report to the Controller the recipient
23 transit agencies that have submitted a list of projects as described
24 in this subdivision and that are therefore eligible to receive an
25 apportionment of funds for the applicable fiscal year. The
26 Controller, upon receipt of the report, shall apportion funds
27 *quarterly* pursuant to Sections 99313 and 99314.

28 (e) For each fiscal year, each recipient transit agency receiving
29 an apportionment of funds pursuant to subdivision (c) shall, upon
30 expending those funds, submit documentation to the department
31 that includes a description and location of each completed project,
32 the amount of funds expended on the project, the completion date,
33 and the estimated useful life of the improvement.

34 (f) The audit of transit operator finances required pursuant to
35 Section 99245 shall verify that the revenues identified in
36 subdivision (c) have been expended in conformance with these
37 specific requirements and all other generally applicable
38 requirements.

39 *SEC. 10. Section 99314.9 of the Public Utilities Code is*
40 *amended to read:*

1 99314.9. ~~The Controller shall compute quarterly proposed~~
2 ~~allocations commencing with the 2017-18 fiscal year, for State~~
3 ~~Transit Assistance Program funds available for allocation pursuant~~
4 ~~to Sections 99313 and 99314. The the estimates described in~~
5 ~~Section 99312.7, the Controller shall publish the allocations for~~
6 ~~each eligible recipient agency, including one list applicable to~~
7 ~~revenues allocated pursuant to subdivision (c) of Section 99312.1~~
8 ~~and another list for revenues allocated from all other revenues in~~
9 ~~the Public Transportation Account that are designated for the State~~
10 ~~Transit Assistance Program.~~

11 *SEC. 11. Section 11050 of the Revenue and Taxation Code is*
12 *amended to read:*

13 11050. For purposes of this chapter, the following terms have
14 the following meanings:

15 (a) "Transportation purposes" means both of the following:

16 (1) The research, planning, construction, improvement,
17 maintenance, and operation of public streets and highways (and
18 their related public facilities for nonmotorized traffic), including
19 the mitigation of their environmental effects, the payment for
20 property taken or damaged for the foregoing purposes, and the
21 administrative costs necessarily incurred in the foregoing purposes.

22 (2) The research, planning, construction, improvement,
23 maintenance, and operation of public transportation systems (and
24 their related equipment and fixed facilities), including the
25 mitigation of their environmental effects, the payment for property
26 taken or damaged for the foregoing purposes, and the
27 administrative costs necessarily incurred in the foregoing purposes.

28 (b) "Transportation improvement fee" means a supplemental
29 charge added to the fee imposed pursuant to Chapter 2
30 (commencing with Section 10751).

31 (c) "Vehicle" means every vehicle that is subject to the fee in
32 Chapter 2 (commencing with Section 10751), except the following:

33 (1) A commercial vehicle with an unladen weight of more than
34 10,000 pounds.

35 (2) A vehicle exempted pursuant to the Vehicle Code from the
36 payment of registration fees.

37 (3) A vehicle for which a certificate of nonoperation has been
38 filed with the Department of Motor Vehicles pursuant to Section
39 4604 of the Vehicle Code, during the period of time covered by
40 the certificate.

1 (4) A vehicle described in Section 5004 of the Vehicle Code.

2 (5) *A vehicle issued apportioned registration pursuant to the*
3 *International Registration Plan.*

4 *SEC. 12. Section 11051 of the Revenue and Taxation Code is*
5 *amended to read:*

6 11051. (a) In addition to any other fee imposed on a vehicle
7 by this code or the Vehicle Code, a transportation improvement
8 fee is hereby imposed on each vehicle as defined in subdivision
9 ~~(b)~~ (c) of Section 11050 effective on January 1, 2018, or as soon
10 after that date as the department is able to commence collection
11 of the fee. The transportation improvement fee shall be in the
12 amounts specified in Section 11052.

13 (b) The department shall collect the fee at the same time and in
14 the same manner as the department collects the vehicle registration
15 fee pursuant to Section 9250 of the Vehicle Code.

16 (c) The fee imposed pursuant to this chapter is imposed for the
17 privilege of a resident of California to operate upon the public
18 highways a vehicle or trailer coach, the registrant of which is
19 subject to the fee under Chapter 2 (commencing with Section
20 10751).

21 (d) The revenues from the transportation improvement fee
22 imposed by this chapter shall be available for expenditure only on
23 transportation purposes as provided in Section 11053.

24 *SEC. 13. Section 11053 of the Revenue and Taxation Code is*
25 *amended to read:*

26 11053. Revenues from the transportation improvement fee,
27 after deduction of the department's administrative costs related to
28 this chapter, shall be transferred by the department to the Controller
29 for deposit as follows:

30 (a) Commencing with the 2017–18 fiscal year, three hundred
31 fifty million dollars (\$350,000,000), plus an annual increase for
32 inflation as determined in subdivision (b) of Section 11052 for this
33 proportional share, shall annually be deposited into the Public
34 Transportation Account. The Controller shall, each month, ~~set~~
35 ~~aside~~ *transfer* one-twelfth of this amount, *except in the 2017–18*
36 *fiscal year, when the Controller shall transfer one-sixth of this*
37 *amount*, to accumulate a total of three hundred fifty million dollars
38 (\$350,000,000) *plus the inflation adjustment amount* in each fiscal
39 *year. The Controller may adjust the amount transferred in the*
40 *final month or months of each fiscal year* ~~or if necessary to achieve~~

1 ~~the appropriate adjusted amount.~~ *annual amount specified in this*
2 *subdivision.* For each fiscal year commencing with the 2017–18
3 fiscal year, the annual Budget Act shall include an appropriation
4 for 70 percent of these revenues to be allocated to the Transit and
5 Intercity Rail Capital Program (Part 2 (commencing with Section
6 75220) of Division 44 of the Public Resources Code), pursuant to
7 Section 99312.4 of the Public Utilities Code. The remaining 30
8 percent of these revenues shall be continuously appropriated to
9 the Controller for allocation under the State Transit Assistance
10 program, pursuant to subdivision (c) of Section 99312.1 of the
11 Public Utilities Code.

12 (b) Commencing with the 2017–18 fiscal year, two hundred
13 fifty million dollars (\$250,000,000) shall annually be deposited
14 into the State Highway Account for appropriation by the annual
15 Budget Act to the Congested Corridor Program created pursuant
16 to Section 2391 of the Streets and Highways Code. The Controller
17 shall, each month, ~~set aside~~ *transfer* one-twelfth of this amount,
18 *except in the 2017–18 fiscal year, when the Controller shall*
19 *transfer one-sixth of this amount,* to accumulate a total of two
20 hundred fifty million dollars (\$250,000,000) in each fiscal year.
21 *The Controller may adjust the amount transferred in the final*
22 *month or months of each fiscal year if necessary to achieve the*
23 *annual amount specified in this subdivision.*

24 (c) The remaining revenues after the transfers made in
25 subdivisions (a) and (b) shall be deposited into the Road
26 Maintenance and Rehabilitation Account created pursuant to
27 Section 2031 of the Streets and Highway Code.

28 *SEC. 14. Section 60050 of the Revenue and Taxation Code is*
29 *amended to read:*

30 60050. (a) (1) A tax of sixteen cents (\$0.16) is hereby imposed
31 upon each gallon of diesel fuel subject to the tax in Sections 60051,
32 60052, and 60058.

33 (2) If the federal fuel tax is reduced below the rate of fifteen
34 cents (\$0.15) per gallon and federal financial allocations to this
35 state for highway and exclusive public mass transit guideway
36 purposes are reduced or eliminated correspondingly, the tax rate
37 imposed by paragraph (1) shall be increased by an amount so that
38 the combined state rate under paragraph (1) and the federal tax
39 rate per gallon equal what it would have been in the absence of
40 the federal reduction.

1 (3) If any person or entity is exempt or partially exempt from
2 the federal fuel tax at the time of a reduction, the person or entity
3 shall continue to be exempt under this section.

4 (b) On and after November 1, 2017, in addition to the tax
5 imposed pursuant to subdivision (a), an additional tax of twenty
6 cents (\$0.20) is hereby imposed upon each gallon of diesel fuel
7 subject to the tax in Sections 60051, 60052, and 60058.

8 (c) On July 1, 2020, and every July 1 thereafter, the State Board
9 of Equalization shall adjust the taxes imposed by subdivisions (a),
10 and (b), with the adjustment to apply to both to the base tax rates
11 specified in those provisions and to any previous adjustment in
12 rates made pursuant to this subdivision, by increasing the taxes by
13 a percentage amount equal to the increase in the California
14 Consumer Price Index, as calculated by the Department of Finance
15 with the resulting taxes rounded to the nearest one-tenth of one
16 cent (\$0.01). The first adjustment pursuant to this subdivision shall
17 be a percentage amount equal to the increase in the California
18 Consumer Price Index from November 1, 2017, to November 1,
19 2019. Subsequent annual adjustments shall cover subsequent 12
20 month periods. The incremental change shall be added to the
21 associated rate for that year.

22 (d) Any changes to the taxes imposed under this section that
23 are enacted by legislation subsequent to July 1, 2017, shall be
24 deemed to be changes to the base tax rates for purposes of the
25 California Consumer Price Index calculation and adjustment
26 performed pursuant to ~~paragraph (1)~~ subdivision (c).

27 *SEC. 15. Section 2032 of the Streets and Highways Code is*
28 *amended to read:*

29 2032. (a) (1) After deducting the amounts appropriated in the
30 annual Budget Act, as provided in Section 2031.5, two hundred
31 million dollars (\$200,000,000) of the remaining revenues deposited
32 in the Road Maintenance and Rehabilitation Account shall be set
33 aside annually for ~~counties~~ *local or regional transportation*
34 *agencies* that have sought and received voter approval of taxes or
35 that have imposed fees, including uniform developer fees as defined
36 by subdivision (b) of Section 8879.67 of the Government Code,
37 which taxes or fees are dedicated solely to transportation
38 improvements. The Controller shall each month set aside
39 one-twelfth of this amount, *except in fiscal year 2017-18, the*
40 *Controller shall set aside one-eighth of this amount*, to accumulate

1 a total of two hundred million dollars (\$200,000,000) in each fiscal
2 year. *The Controller may adjust the amount in the final month or*
3 *months of each fiscal year if necessary to achieve the annual*
4 *amount specified in this subdivision.*

5 (2) Eligible projects under this subdivision shall include, but
6 not are limited to, sound walls for a freeway that was built prior
7 to 1987 without sound walls and with or without high occupancy
8 vehicle lanes if the completion of the sound walls has been deferred
9 due to lack of available funding for at least 20 years and a noise
10 barrier scope summary report has been completed within the last
11 20 years.

12 (3) Notwithstanding Section 13340 of the Government Code,
13 the funds available under this subdivision in each fiscal year are
14 hereby continuously appropriated for allocation ~~to each eligible~~
15 ~~county and each city in~~ *by the county commission* for road
16 maintenance and rehabilitation ~~purposes and other transportation~~
17 *improvement projects pursuant to Section 2033.*

18 (b) After deducting the amounts appropriated in the annual
19 Budget Act pursuant to Section 2031.5 and the amount allocated
20 in subdivision (a), beginning in the 2017–18 fiscal year, one
21 hundred million dollars (\$100,000,000) of the remaining revenues
22 shall be available annually for expenditure, upon appropriation by
23 the Legislature, on the Active Transportation Program created
24 pursuant to Chapter 8 (commencing with Section 2380) of Division
25 3 to be allocated by the California Transportation Commission
26 pursuant to Section 2381. The Controller shall each month set
27 aside one-twelfth of this amount, *except in the 2017–18 fiscal year,*
28 *when the Controller shall set aside one-eighth of this amount,* to
29 accumulate a total of one hundred million dollars (\$100,000,000)
30 in each fiscal year. *The Controller may adjust the amount in the*
31 *final month or months of each fiscal year if necessary to achieve*
32 *the annual amount specified in this subdivision.*

33 (c) After deducting the amounts appropriated in the annual
34 Budget Act pursuant to Section 2031.5 and the amounts allocated
35 in subdivisions (a) and (b), beginning in the 2017–18 fiscal year,
36 four hundred million dollars (\$400,000,000) of the remaining
37 revenues shall be available annually for expenditure, upon
38 appropriation by the Legislature, by the department for bridge and
39 culvert maintenance and rehabilitation. The Controller shall each
40 month set aside one-twelfth of this amount, *except in the 2017–18*

1 *fiscal year, when the Controller shall set aside one-eighth of this*
2 *amount, to accumulate a total of four hundred million dollars*
3 *(\$400,000,000) in each fiscal year. The Controller may adjust the*
4 *amount in the final month or months of each fiscal year if necessary*
5 *to achieve the annual amount specified in this subdivision.*

6 (d) After deducting the amounts appropriated in the annual
7 Budget Act pursuant to Section 2031.5 and the amounts allocated
8 in subdivisions (a), (b), and (c), beginning in the 2017–18 fiscal
9 year, twenty-five million dollars (\$25,000,000) of the remaining
10 revenues shall be transferred annually to the State Highway
11 Account for expenditure, upon appropriation by the Legislature,
12 to supplement the freeway service patrol program. The Controller
13 shall each month set aside one-twelfth of this amount, *except in*
14 *the 2017–18 fiscal year, when the Controller shall set aside*
15 *one-eighth of this amount, to accumulate a total of twenty-five*
16 *million dollars (\$25,000,000) in each fiscal year. The Controller*
17 *may adjust the amount in the final month or months of each fiscal*
18 *year if necessary to achieve the annual amount specified in this*
19 *subdivision.*

20 (e) After deducting the amounts appropriated in the annual
21 Budget Act pursuant to Section 2031.5 and the amounts allocated
22 in subdivisions (a), (b), (c), and (d), in the 2017–18, 2018–19,
23 2019–20, 2020–21, and 2021–22 fiscal years, from revenues in
24 the Road Maintenance and Rehabilitation Account that are not
25 subject to Article XIX of the California Constitution, five million
26 dollars (\$5,000,000) shall be appropriated in each fiscal year to
27 the California Workforce Development Board to assist local
28 agencies to implement policies to promote preapprenticeship
29 training programs to carry out the projects that are funded by the
30 account pursuant to Section 2038. Funds appropriated pursuant to
31 this subdivision in the Budget Act but remaining unexpended at
32 the end of each applicable fiscal year shall be reappropriated for
33 the same purposes in the following year's Budget Act, but all funds
34 appropriated or reappropriated pursuant to this subdivision in the
35 Budget Act shall be liquidated no later than June 30, 2027.

36 (f) After deducting the amounts appropriated in the annual
37 Budget Act pursuant to Section 2031.5 and the amounts allocated
38 in subdivisions (a), (b), (c), (d), and (e), beginning in the 2017–18
39 fiscal year, twenty-five million dollars (\$25,000,000) of the
40 remaining revenues shall be available annually for expenditure,

1 upon appropriation by the Legislature, by the department for local
2 planning grants, as described in Section 2033.5. The Controller
3 shall each month set aside one-twelfth of this amount, *except in*
4 *the 2017–18 fiscal year, when the Controller shall set aside*
5 *one-eighth of this amount*, to accumulate a total of twenty-five
6 million dollars (\$25,000,000) in each fiscal year. *The Controller*
7 *may adjust the amount in the final month or months of each fiscal*
8 *year if necessary to achieve the annual amount specified in this*
9 *subdivision.*

10 (g) After deducting the amounts appropriated in the annual
11 Budget Act pursuant to Section 2031.5 and the amounts allocated
12 in subdivisions (a), (b), (c), (d), (e), and (f), beginning in the
13 2017–18 fiscal year and each fiscal year thereafter, from the
14 remaining revenues, five million dollars (\$5,000,000) shall be
15 available, upon appropriation, to the University of California for
16 the purpose of conducting transportation research and two million
17 dollars (\$2,000,000) shall be available, upon appropriation, to the
18 California State University for the purpose of conducting
19 transportation research and transportation-related workforce
20 education, training, and development. Prior to the start of each
21 fiscal year, the Secretary of Transportation and the chairs of the
22 Assembly Committee on Transportation and the Senate Committee
23 on Transportation and Housing may set out a recommended priority
24 list of research components to be addressed in the upcoming fiscal
25 year.

26 (h) Notwithstanding Section 13340 of the Government Code,
27 the balance of the revenues deposited in the Road Maintenance
28 and Rehabilitation Account are hereby continuously appropriated
29 as follows:

30 (1) Fifty percent for allocation to the department for maintenance
31 of the state highway system or for purposes of the state highway
32 operation and protection program.

33 (2) Fifty percent for apportionment to cities and counties by the
34 Controller pursuant to the formula in clauses (i) and (ii) of
35 subparagraph (C) of paragraph (3) of subdivision (a) of Section
36 2103 for the purposes authorized by this chapter.

37 *SEC. 16. Section 2032.5 of the Streets and Highways Code is*
38 *amended to read:*

39 2032.5. (a) It is the intent of the Legislature that the
40 Department of Transportation and local governments are held

1 accountable for the efficient investment of public funds to maintain
2 the public highways, streets, and roads, and are accountable to the
3 people through performance goals that are tracked and reported.

4 (b) The department shall annually report to the commission
5 relative to the expenditures made with funds received pursuant to
6 subdivision (c) of, and paragraph (1) of subdivision ~~(g)~~ (h) of,
7 Section 2032, and the progress made and achievement of the
8 performance goals outlined in subdivision (n) of Section 1 of the
9 act adding this section.

10 (c) For each fiscal year in which the department receives an
11 allocation of funds described in subdivision (b), the department
12 shall submit documentation to the commission that includes a
13 description and the location of each completed project, the amount
14 of funds expended on the project, the completion date, and the
15 project's estimated useful life. Annually, the commission shall
16 evaluate the effectiveness of the department in reducing deferred
17 maintenance and improving road conditions on the state highway
18 system, as demonstrated by the progress made by the goals set
19 forth in subdivision (n) of Section 1 of the act enacting this section.
20 The commission may make recommendations for improvement
21 and may withhold future project allocations if it determines
22 program funds are not being appropriately spent. The commission
23 shall annually include any findings in its annual report to the
24 Legislature pursuant to Section 14535 of the Government Code.

25 (d) The department shall implement efficiency measures with
26 the goal to generate at least one hundred million dollars
27 (\$100,000,000) per year in savings to invest in maintenance and
28 rehabilitation of the state highway system. These savings shall be
29 reported to the commission.

30 *SEC. 17. Section 2033.5 of the Streets and Highways Code is*
31 *amended to read:*

32 2033.5. The department, from funds made available pursuant
33 to subdivision (f) of Section 2032, shall allocate local planning
34 grants to encourage local and regional planning that furthers state
35 goals, including, but not limited to, the goals and best practices
36 cited in the regional transportation *plan* guidelines adopted by the
37 commission pursuant to Sections 14522 to 14522.3, inclusive, of
38 the Government Code. The department shall develop a grant guide
39 and shall consult with the State Air Resources Board, the
40 Governor's Office of Planning and Research, and the Department

1 of Housing and Community Development in the development of
2 the grant guide, and shall provide status reports as it administers
3 these funds. The grant guide shall be exempt from the
4 Administrative Procedure Act (Chapter 3.5 (commencing with
5 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
6 Code).

7 *SEC. 18. Section 2036 of the Streets and Highways Code is*
8 *amended to read:*

9 2036. (a) Cities and counties shall maintain their existing
10 commitment of local funds for street, road, and highway purposes
11 in order to remain eligible for an allocation or apportionment of
12 funds pursuant to Section 2032.

13 (b) In order to receive an allocation or apportionment pursuant
14 to Section 2032, the city or county shall annually expend from its
15 general fund for street, road, and highway purposes an amount not
16 less than the annual average of its expenditures from its general
17 fund during the 2009–10, 2010–11, and 2011–12 fiscal years, as
18 reported to the Controller pursuant to Section 2151. For purposes
19 of this subdivision, in calculating a city’s or county’s annual
20 general fund expenditures and its average general fund expenditures
21 for the 2009–10, 2010–11, and 2011–12 fiscal years, any
22 unrestricted funds that the city or county may expend at its
23 discretion, including vehicle in-lieu tax revenues and revenues
24 from fines and forfeitures, expended for street, road, and highway
25 purposes shall be considered expenditures from the general fund.
26 One-time allocations that have been expended for street and
27 highway purposes, but which may not be available on an ongoing
28 basis, including revenue provided under the Teeter Plan Bond Law
29 of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1
30 of Division 2 of Title 5 of the Government Code), may not be
31 considered when calculating a city’s or county’s annual general
32 fund expenditures.

33 (c) For any city incorporated after July 1, 2009, the Controller
34 shall calculate an annual average expenditure for the period
35 between July 1, 2009, and December 31, 2015, inclusive, that the
36 city was incorporated.

37 (d) For purposes of subdivision (b), the Controller may request
38 fiscal data from cities and counties in addition to data provided
39 pursuant to Section 2151, for the 2009–10, 2010–11, and 2011–12
40 fiscal years. Each city and county shall furnish the data to the

1 Controller not later than 120 days after receiving the request. The
2 Controller may withhold payment to cities and counties that do
3 not comply with the request for information or that provide
4 incomplete data.

5 (e) The Controller may perform audits to ensure compliance
6 with subdivision (b) when deemed necessary. Any city or county
7 that has not complied with subdivision (b) shall reimburse the state
8 for the funds it received during that fiscal year. Any funds ~~withheld~~
9 ~~or~~ returned as a result of a failure to comply with subdivision (b)
10 shall be reapportioned to the other counties and cities whose
11 expenditures are in compliance.

12 (f) If a city or county fails to comply with the requirements of
13 subdivision (b) in a particular fiscal year, the city or county may
14 expend during that fiscal year and the following fiscal year a total
15 amount that is not less than the total amount required to be
16 expended for those fiscal years for purposes of complying with
17 subdivision (b).

18 *SEC. 19. Section 2106 of the Streets and Highways Code is*
19 *amended to read:*

20 2106. Notwithstanding Section 13340 of the Government Code,
21 a sum equal to the net revenue derived from ~~5.3~~ 5.8 percent of the
22 per gallon tax under the Motor Vehicle Fuel License Tax Law
23 (Part 2 (commencing with Section 7301) of Division 2 of the
24 Revenue and Taxation Code) shall be apportioned monthly from
25 the Highway Users Tax Account in the Transportation Tax Fund
26 among the counties and cities as follows:

27 (a) Four hundred dollars (\$400) per month shall be apportioned
28 to each city and city and county and eight hundred dollars (\$800)
29 per month shall be apportioned to each county and city and county.

30 (b) On the last day of each month, the sum of six hundred
31 thousand dollars (\$600,000) shall be transferred to the State
32 Highway Account in the State Transportation Fund for the Active
33 Transportation Program pursuant to Chapter 8 (commencing with
34 Section 2380). For each month in the 2013–14 fiscal year that has
35 passed prior to the enactment of the bill adding this sentence, six
36 hundred thousand dollars (\$600,000) shall be immediately
37 transferred from the Bicycle Transportation Account to the State
38 Highway Account in the State Transportation Fund for the Active
39 Transportation Program, less any amount already expended for

1 that program from the Bicycle Transportation Account during the
2 2013–14 fiscal year.

3 (c) The balance shall be apportioned, as follows:

4 (1) A base sum shall be computed for each county by using the
5 same proportions of fee-paid and exempt vehicles as are established
6 for purposes of apportionment of funds under subdivision (d) of
7 Section 2104.

8 (2) For each county, the percentage of the total assessed
9 valuation of tangible property subject to local tax levies within the
10 county which is represented by the assessed valuation of tangible
11 property outside the incorporated cities of the county shall be
12 applied to its base sum, and the resulting amount shall be
13 apportioned to the county. The assessed valuation of taxable
14 tangible property, for purposes of this computation, shall be that
15 most recently used for countywide tax levies as reported to the
16 Controller by the State Board of Equalization. If an incorporation
17 or annexation is legally completed following the base sum
18 computation, the new city's assessed valuation shall be deducted
19 from the county's assessed valuation, the estimate of which may
20 be provided by the State Board of Equalization.

21 (3) The difference between the base sum for each county and
22 the amount apportioned to the county shall be apportioned to the
23 cities of that county in the proportion that the population of each
24 city bears to the total population of all the cities in the county.
25 Populations used for determining apportionment of money under
26 Section 2107 are to be used for purposes of this section.

27 (d) (1) Transfers of revenues from the Highway Users Tax
28 Account to counties or cities pursuant to this section collected
29 during the months of March, April, May, June, and July of 2008,
30 shall be made with the transfer of August 2008 revenues in
31 September of 2008. This suspension shall not apply to a county
32 with a population of less than 40,000.

33 (2) For the purpose of meeting the cash obligations associated
34 with ongoing budgeted costs, a city or county may make use of
35 any cash balance in the city account that is designated for the
36 receipt of state funds allocated for local streets and roads or the
37 county road fund, including that resulting from the receipt of funds
38 pursuant to the Highway Safety, Traffic Reduction, Air Quality,
39 and Port Security Bond Act of 2006 (Chapter 12.49 (commencing
40 with Section 8879.20) of Division 1 of Title 2 of the Government

1 Code (hereafter bond act)) for local streets and roads maintenance,
2 during the period of this suspension, without the use of this cash
3 being reflected as an expenditure of bond act funds, provided the
4 cash is replaced once this suspension is repaid in September of
5 2008. Counties and cities may accrue the revenue received in
6 September 2008 as repayment of these suspensions for the months
7 of April, May, and June of 2008 back to the 2007–08 fiscal year.
8 Nothing in this paragraph shall change the fact that expenditures
9 must be accrued and reflected from the appropriate funding sources
10 for which the moneys were received and meet all the requirements
11 of those funding sources.

12 (e) (1) The transfer of revenues from the Highway Users Tax
13 Account to counties or cities pursuant to this section collected
14 during the months of January, February, and March 2009, shall be
15 made with the transfer of April 2009 revenues in May 2009.

16 (2) For the purpose of meeting the cash obligations associated
17 with ongoing budgeted costs, a city or county may make use of
18 any cash balance in the city account that is designated for the
19 receipt of state funds allocated for local streets and roads or the
20 county road fund, including that resulting from the receipt of funds
21 pursuant to the Highway Safety, Traffic Reduction, Air Quality,
22 and Port Security Bond Act of 2006 (Chapter 12.49 (commencing
23 with Section 8879.20) of Division 1 of Title 2 of the Government
24 Code (bond act)) for local streets and roads maintenance, during
25 the period of this suspension, and the use of this cash shall not be
26 considered as an expenditure of bond act funds, if the cash is
27 replaced when the payments that are suspended pursuant to this
28 subdivision are repaid in May 2009.

29 (3) This subdivision shall not affect any requirement that an
30 expenditure is required to be accrued and reflected from the
31 appropriate funding source for which the money was received and
32 to meet all the requirements of its funding source.

33 *SEC. 20. Section 2382 of the Streets and Highways Code is*
34 *amended to read:*

35 2382. (a) The California Transportation Commission shall
36 develop guidelines and project selection criteria for the Active
37 Transportation Program in consultation with the Active
38 Transportation Program Workgroup, which shall be formed for
39 purposes of providing guidance on matters including, but not
40 limited to, development of and subsequent revisions to program

1 guidelines, schedules and procedures, project selection criteria,
2 performance measures, and program evaluation. The workgroup
3 shall include, but not be limited to, representatives of government
4 agencies and active transportation stakeholder organizations with
5 expertise in pedestrian and bicycle issues, including Safe Routes
6 to School programs.

7 (b) The guidelines shall be the complete and full statement of
8 the policies and criteria that the commission intends to use in
9 selecting projects to be included in the program. The guidelines
10 shall address subjects that include, but are not limited to, project
11 eligibility, application timelines, application rating and ranking
12 criteria, project monitoring, reporting, and transparency, and project
13 performance measurement.

14 (c) The guidelines shall include a process to ensure that no less
15 than 25 percent of overall program funds benefit disadvantaged
16 communities during each program cycle. The guidelines shall
17 establish a program definition for disadvantaged communities that
18 may include, but need not be limited to, the definition in Section
19 39711 of the Health and Safety Code and the definition of
20 low-income schools in paragraph (7) of subdivision (b) of former
21 Section 2333.5, as that section read on January 1, 2013. A project
22 eligible under this subdivision shall clearly demonstrate a benefit
23 to a disadvantaged community or be directly located in a
24 disadvantaged community.

25 *(d) The guidelines shall allow streamlining of project delivery*
26 *by authorizing an implementing agency to seek commission*
27 *approval of a letter of no prejudice that will allow the agency to*
28 *expend its own funds for a project programmed in a future year*
29 *of the adopted program of projects, in advance of allocation of*
30 *funds to the project by the commission, and to be reimbursed at a*
31 *later time for eligible expenditures.*

32 ~~(d)~~

33 (e) The California Transportation Commission shall adopt the
34 guidelines and selection criteria for, and define the types of projects
35 eligible to be funded through, the program following at least two
36 public hearings. Projects funded in this program shall be limited
37 to active transportation projects. The guidelines shall ensure that
38 eligible projects meet one or more of the goals set forth in Section
39 2380 and may give increased weight to projects meeting multiple
40 goals.

1 (e)

2 (f) In developing the guidelines with regard to project eligibility,
3 the commission shall include, but need not be limited to, the
4 following project types:

5 (1) Development of new bikeways and walkways, or
6 improvements to existing bikeways and walkways, that improve
7 mobility, access, or safety for nonmotorized users.

8 (2) Secure bicycle parking at employment centers, park and ride
9 lots, rail and transit stations, and ferry docks and landings.

10 (3) Bicycle-carrying facilities on public transit, including rail
11 and ferries.

12 (4) Installation of traffic control devices to improve the safety
13 of pedestrians and bicyclists.

14 (5) Elimination of hazardous conditions on existing bikeways
15 and walkways.

16 (6) Maintenance of bikeways and walkways.

17 (7) Recreational trails and trailheads, park projects that facilitate
18 trail linkages or connectivity to nonmotorized corridors, and
19 conversion of abandoned railroad corridors to trails.

20 (8) Safe Routes to School projects that improve the safety of
21 children walking and bicycling to school, in accordance with
22 Section 1404 of Public Law 109-59.

23 (9) Safe routes to transit projects, which will encourage transit
24 by improving biking and walking routes to mass transportation
25 facilities and schoolbus stops.

26 (10) Educational programs to increase biking and walking, and
27 other noninfrastructure investments that demonstrate effectiveness
28 in increasing active transportation.

29 (f)

30 (g) In developing the guidelines with regard to project selection,
31 the commission shall include, but need not be limited to, the
32 following criteria:

33 (1) Demonstrated needs of the applicant.

34 (2) Potential for reducing pedestrian and bicyclist injuries and
35 fatalities.

36 (3) Potential for encouraging increased walking and bicycling,
37 especially among students.

38 (4) Identification of safety hazards for pedestrians and bicyclists.

39 (5) Identification of walking and bicycling routes to and from
40 schools, transit facilities, and community centers.

1 (6) Identification of the local public participation process that
2 culminated in the project proposal, which may include noticed
3 public meetings and consultation with local stakeholders.

4 (7) Benefit to disadvantaged communities. In developing
5 guidelines relative to this paragraph, the commission shall consider,
6 but need not be limited to, the definition of disadvantaged
7 communities as applied pursuant to subdivision (c).

8 (8) Cost-effectiveness, defined as maximizing the impact of the
9 funds provided.

10 (9) The adoption by a city or county applicant of a bicycle
11 transportation plan, pursuant to Section 891.2, a pedestrian plan,
12 a safe routes to school plan, or an overall active transportation
13 plan.

14 (10) Use of *the* California Conservation Corps or *a* qualified
15 community conservation corps, as defined in Section 14507.5 of
16 the Public Resources Code, as partners to undertake or construct
17 applicable projects in accordance with Section 1524 of Public Law
18 112-141.

19 (11) Other factors, such as potential for reducing congestion,
20 improving air quality, reducing greenhouse gas emissions, and
21 increasing and improving connectivity and mobility of
22 nonmotorized users.

23 ~~(g)~~

24 (h) For the use of federal Transportation Alternative Program
25 funds, or other federal funds, commission guidelines shall meet
26 all applicable federal requirements.

27 ~~(h)~~

28 (i) For the use of federal Highway Safety Improvement Program
29 funds for active transportation projects specific to reducing
30 fatalities and serious injuries, the criteria for the selection of
31 projects shall be based on a data-driven process that is aligned
32 with the state's Strategic Highway Safety Plan.

33 ~~(i)~~

34 (j) The guidelines may include incentives intended to maximize
35 the potential for attracting funds other than program funds for
36 eligible projects.

37 ~~(j)~~

38 (k) In reviewing and selecting projects funded by federal funds
39 in the Recreational Trails Program, the commission shall
40 collaborate with the Department of Parks and Recreation to

1 evaluate proposed projects, and to ensure federal requirements are
2 met.

3 ~~(k)~~

4 (l) To ensure that regional agencies charged with allocating
5 funds to projects pursuant to paragraph (1) of subdivision (a) of
6 Section 2381 have sufficient discretion to develop regional
7 guidelines, the commission may adopt separate guidelines for the
8 state and for the regional agencies relative to subdivision ~~(f)~~ (g).

9 *SEC. 21. Section 4156 of the Vehicle Code is amended to read:*

10 4156. (a) Notwithstanding any other provision of this code,
11 and except as provided in subdivision (b), the department in its
12 discretion may issue a temporary permit to operate a vehicle when
13 a payment of fees has been accepted in an amount to be determined
14 by, and paid to the department, by the owner or other person in
15 lawful possession of the vehicle. The permit shall be subject to the
16 terms and conditions, and shall be valid for the period of time, that
17 the department shall deem appropriate under the circumstances.

18 (b) (1) The department shall not issue a temporary permit
19 pursuant to subdivision (a) to operate a vehicle for which a
20 certificate of compliance is required pursuant to Section 4000.3,
21 and for which that certificate of compliance has not been issued,
22 unless the department is presented with sufficient evidence, as
23 determined by the department, that the vehicle has failed its most
24 recent smog check inspection.

25 (2) Only one temporary permit may be issued pursuant to this
26 subdivision to a vehicle owner in a two-year period.

27 (3) A temporary permit issued pursuant to paragraph (1) is valid
28 for either 60 days after the expiration of the registration of the
29 vehicle or 60 days after the date that vehicle is removed from
30 nonoperation, whichever is applicable at the time that the temporary
31 permit is issued.

32 (4) A temporary permit issued pursuant to paragraph (1) is
33 subject to Section 9257.5.

34 (c) (1) The department may issue a temporary permit pursuant
35 to subdivision (a) to operate a vehicle for which registration may
36 be refused pursuant to Section 4000.15.

37 (2) Only one temporary permit may be issued pursuant to this
38 subdivision for any vehicle, unless otherwise approved by the State
39 Air Resources Board.

1 (3) A temporary permit issued pursuant to paragraph (1) is valid
2 for either 90 days after the expiration of the registration of the
3 vehicle or 90 days after the date that vehicle is removed from
4 nonoperation, whichever is applicable at the time the temporary
5 permit is issued.

6 ~~(4) A temporary permit issued pursuant to paragraph (1) is~~
7 ~~subject to Section 9257.5.~~

8 *SEC. 22. Section 9250.6 of the Vehicle Code is amended to*
9 *read:*

10 9250.6. (a) In addition to any other fees specified in this code,
11 or the Revenue and Taxation Code, commencing July 1, 2020, a
12 road improvement fee of one hundred dollars (\$100) shall be paid
13 to the department for registration or renewal of registration of
14 every zero-emission motor vehicle model year 2020 and later
15 subject to registration under this code, except those motor vehicles
16 that are expressly exempted under this code from payment of
17 registration fees.

18 (b) On January 1, 2021, and every January 1 thereafter, the
19 Department of Motor Vehicles shall adjust the road improvement
20 fee imposed under subdivision (a) by increasing the fee in an
21 amount equal to the increase in the California Consumer Price
22 Index for the prior year, except the first adjustment shall cover the
23 prior six months, as calculated by the Department of Finance, with
24 amounts equal to or greater than fifty cents (\$0.50) rounded to the
25 highest whole dollar. The incremental change shall be added to
26 the associated fee rate for that year.

27 (c) Any changes to the road improvement fee imposed by
28 subdivision (a) that are enacted by legislation subsequent to July
29 1, 2017, shall be deemed to be changes to the base fee rate for
30 purposes of the California Consumer Price Index calculation and
31 adjustment performed pursuant to subdivision (b).

32 (d) Revenues from the road improvement fee, after deduction
33 of the department's administrative costs related to this section,
34 shall be deposited in the Road Maintenance and Rehabilitation
35 Account created pursuant to Section 2031 of the Streets and
36 Highways Code.

37 (e) This section does not apply to a commercial motor vehicle
38 subject to Section 9400.1.

39 (f) *This section does not apply to a vehicle issued apportioned*
40 *registration pursuant to the International Registration Plan.*

1 ~~(f)~~

2 (g) The road improvement fee required pursuant to this section
3 does not apply to the initial registration after the purchase of a new
4 zero-emission motor vehicle.

5 ~~(g)~~

6 (h) For purposes of this section, “zero-emission motor vehicle”
7 means a motor vehicle as described in subdivision (d) of Section
8 44258 of the Health and Safety Code, ~~or any other motor vehicle~~
9 ~~that is able to operate on any fuel other than gasoline or diesel fuel.~~
10 Code.

11 SEC. 23. Section 12800.7 of the Vehicle Code is amended to
12 read:

13 12800.7. (a) Upon application for an ~~original~~ original, renewal,
14 or duplicate of a driver’s license the department may require the
15 applicant to produce any identification that it determines is
16 necessary in order to ensure that the name of the applicant stated
17 in the application is his or her true, full name and that his or her
18 residence address as set forth in the application is his or her true
19 residence address.

20 (b) Notwithstanding any other law, any document provided by
21 the applicant to the department for purposes of proving his or her
22 identity, true, full name, California residency, or that the applicant’s
23 presence in the United States is authorized under federal law, is
24 not a public record and may not be disclosed by the department
25 except when requested by a law enforcement agency as part of an
26 investigation.

27 SEC. 24. Section 12811 of the Vehicle Code is amended to
28 read:

29 12811. (a) (1) (A) When the department determines that the
30 applicant is lawfully entitled to a license, it shall issue to the person
31 a driver’s license as applied for. The license shall state the class
32 of license for which the licensee has qualified and shall contain
33 the distinguishing number assigned to the applicant, the date of
34 expiration, the true full name, age, and mailing address *or residence*
35 *address* of the licensee, a brief description and engraved picture
36 or photograph of the licensee for the purpose of identification, and
37 space for the signature of the licensee.

38 (B) Each license shall also contain a space for the endorsement
39 of a record of each suspension or revocation of the license.

1 (C) The department shall use whatever process or processes, in
2 the issuance of engraved or colored licenses, that prohibit, as near
3 as possible, the ability to alter or reproduce the license, or prohibit
4 the ability to superimpose a picture or photograph on the license
5 without ready detection.

6 (2) In addition to the requirements of paragraph (1), a license
7 issued to a person under 18 years of age shall display the words
8 “provisional until age 18.”

9 (b) (1) On and after July 1, 2011, an application for an original
10 or renewal driver’s license or identification card shall contain a
11 space for the applicant to enroll in the Donate Life California Organ
12 and Tissue Donor Registry. The application shall include check
13 boxes for an applicant to mark either (A) Yes, add my name to the
14 donor registry or (B) I do not wish to register at this time.

15 (2) The department shall inquire verbally of an applicant
16 applying in person for an original or renewal driver’s license or
17 identification card at a department office as to whether the applicant
18 wishes to enroll in the Donate Life California Organ and Tissue
19 Donor Registry. Failure or refusal to answer this question or check
20 a box on the application form shall not be a basis for the department
21 to deny an applicant a driver’s license or identification card.

22 (3) The following language shall be included with the question
23 required by paragraph (1):
24

25 “Marking ‘Yes’ adds your name to the Donate Life California
26 Organ and Tissue Donor Registry and a pink ‘donor’ dot will
27 appear on your license. If you wish to remove your name from the
28 registry you must contact Donate Life California (see back); DMV
29 can remove the pink dot from your licenses but cannot remove
30 you from the registry.”
31

32 (4) The back of the application shall contain the following
33 statement:
34

35 “If, on the front of this form, you marked ‘Yes’ to register as an
36 organ and tissue donor you are legally authorizing the recovery of
37 organs and tissues in the event of your death. Registering as a
38 donor will not affect your medical treatment in any way. As
39 outlined in the California Anatomical Gift Act, your authorization
40 is legally binding and, unless the donor is under 18 years of age,

1 your decision does not require the consent of any other person.
2 For registered donors under 18 years of age, the legal guardian
3 shall make the final donation decision. You may limit your
4 donation to specific organs or tissues, place usage restrictions, for
5 example transplantation or research, obtain more information about
6 donation, or remove your name from the registry on the Internet
7 Web site of Donate Life California:
8 www.donateLIFECalifornia.org.”
9

10 (5) Notwithstanding any other law, a person under 18 years of
11 age may register as a donor. However, the legal guardian of that
12 person shall make the final decision regarding the donation.

13 (6) The department shall collect donor designation information
14 on all applications for an original or renewal driver's license or
15 identification card.

16 (7) The department shall print the word "DONOR" or another
17 appropriate designation on the face of a driver's license or
18 identification card to a person who has indicated on the application
19 his or her intent to enroll in the organ donation program pursuant
20 to this section.

21 (8) On a weekly basis, the department shall electronically
22 transmit to Donate Life California, a nonprofit organization
23 established and designated as the California Organ and Tissue
24 Donor Registrar pursuant to Section 7150.90 of the Health and
25 Safety Code, all of the following information from every
26 application that indicates the applicant's decision to enroll in the
27 organ donation program:

28 (A) His or her true full name.

29 (B) His or her residence or mailing address.

30 (C) His or her year of birth.

31 (D) His or her California driver's license number or
32 identification card number.

33 (9) (A) A person who applies for an original or renewal driver's
34 license or identification card may designate a voluntary
35 contribution of two dollars (\$2) for the purpose of promoting and
36 supporting organ and tissue donation. This contribution shall be
37 collected by the department, and treated as a voluntary contribution
38 to Donate Life California and not as a fee for the issuance of a
39 driver's license or identification card.

1 (B) The department may use the donations collected pursuant
2 to this paragraph to cover its actual administrative costs incurred
3 pursuant to paragraphs (6) to (8), inclusive. The department shall
4 deposit all revenue derived pursuant to this paragraph and
5 remaining after the department's deduction for administrative costs
6 in the Donate Life California Trust Subaccount, that is hereby
7 created in the Motor Vehicle Account in the State Transportation
8 Fund. Notwithstanding Section 13340 of the Government Code,
9 all revenue in this subaccount is continuously appropriated, without
10 regard to fiscal years, to the Controller for allocation to Donate
11 Life California and shall be expended for the purpose of increasing
12 participation in organ donation programs.

13 (C) The department shall transmit to the Donate Life California
14 Organ and Tissue Donor Registry and the appropriate policy and
15 fiscal committees of the Legislature an annual report, and shall
16 make available quarterly updates, detailing funds collected through
17 voluntary contributions as well as a summary of applicants,
18 including all of the following nonidentifiable information:

- 19 (i) Date of application.
- 20 (ii) Method of application (field office, online, or mail).
- 21 (iii) Donor registration status.
- 22 (iv) ZIP Code.
- 23 (v) Gender.
- 24 (vi) Year of birth.

25 (D) (i) The annual report to be submitted to the appropriate
26 policy and fiscal committees of the Legislature pursuant to
27 subparagraph (C) shall be submitted in compliance with Section
28 9795 of the Government Code.

29 (ii) Pursuant to Section 10231.5 of the Government Code, the
30 requirement for submitting the annual report to the appropriate
31 policy and fiscal committees of the Legislature imposed under
32 subparagraph (C) is inoperative four years after the date the first
33 annual report is due.

34 (10) The enrollment form shall be posted on the Internet Web
35 sites for the department and the California Health and Human
36 Services Agency.

37 (11) The enrollment shall constitute a legal document pursuant
38 to the Uniform Anatomical Gift Act (Chapter 3.5 (commencing
39 with Section 7150) of Part 1 of Division 7 of the Health and Safety
40 Code) and shall remain binding after the donor's death despite any

1 express desires of next of kin opposed to the donation. Except as
2 provided in paragraph (5) of subdivision (b), the donation does
3 not require the consent of any other person.

4 (12) Donate Life California shall ensure that all additions and
5 deletions to the California Organ and Tissue Donor Registry,
6 established pursuant to Section 7150.90 of the Health and Safety
7 Code, shall occur within 30 days of receipt.

8 (13) Information obtained by Donate Life California for the
9 purposes of this subdivision shall be used for these purposes only
10 and shall not be disseminated further by Donate Life California.

11 (c) (1) All applications for a driver's license or identification
12 card shall contain a space for an applicant to indicate whether he
13 or she has served in the Armed Forces of the United States and to
14 give his or her consent to be contacted regarding eligibility to
15 receive state or federal veterans benefits. The application shall
16 contain the following statement:

17
18 "By marking the veteran box on this application, I certify that I
19 am a veteran of the United States Armed Forces and that I want
20 to receive veterans benefits information from the California
21 Department of Veterans Affairs. By marking the veteran box on
22 this application, I also consent to DMV transmitting my name and
23 mailing address to the California Department of Veterans Affairs
24 for this purpose only, and I certify that I have been notified that
25 this transmittal will occur."

26
27 (2) The department shall collect the information obtained
28 pursuant to paragraph (1).

29 (3) As mutually agreed between the department and the
30 Department of Veterans Affairs, the department shall electronically
31 transmit to the Department of Veterans Affairs the following
32 information on each applicant who has identified that he or she
33 has served in the Armed Forces of the United States since the last
34 data transfer and has consented to be contacted about veterans
35 benefits:

36 (A) His or her true full name.

37 (B) His or her mailing address.

38 (4) Information obtained by the Department of Veterans Affairs
39 for the purposes of this subdivision shall be used for the purpose

1 of assisting individuals to access veterans benefits and shall not
2 be disseminated except as needed for this purpose.

3 (5) Commencing November 11, 2015, an in-person application
4 for a driver's license or identification card shall allow an applicant
5 to request the word "VETERAN" be printed on the face of the
6 driver's license or identification card. A verification form shall be
7 developed by the Department of Veterans Affairs in consultation
8 with the Department of Motor Vehicles and the California
9 Association of County Veterans Service Officers to acknowledge
10 verification of veteran status. A county veterans service office
11 shall verify the veteran's status as a veteran, sign the verification
12 form, and return it to the veteran. The Department of Motor
13 Vehicles shall accept the signed verification form as proof of
14 veteran status. Upon payment of the fee required pursuant to
15 Section 14901.1, the word "VETERAN" shall be printed on the
16 face of a driver's license or identification card, in a location
17 determined by the department, and issued to a person who makes
18 this request and presents the verification form to the department.

19 (d) A public entity or employee shall not be liable for loss,
20 detriment, or injury resulting directly or indirectly from false or
21 inaccurate information contained in the form provided pursuant
22 to subdivision (b).

23 (e) A contract shall not be awarded to a nongovernmental entity
24 for the processing of driver's licenses, unless the contract conforms
25 to all applicable state contracting laws and all applicable procedures
26 set forth in the State Contracting Manual.

27 *SEC. 25. For any guidelines adopted by the Department of*
28 *Transportation or the Transportation Agency to implement the*
29 *Road Repair and Accountability Act of 2017, the guidelines shall*
30 *be adopted only after the implementing state agency has posted*
31 *formal draft guidelines on the agency's Internet Web site and*
32 *conducted at least two public workshops or hearings on formal*
33 *draft guidelines no sooner than 30 days after the formal draft*
34 *guidelines are posted. Concurrent with the posting, the*
35 *implementing state agency shall transmit the formal draft*
36 *guidelines to the fiscal committees and to the appropriate policy*
37 *committees of the Legislature. Nothing in this section precludes*
38 *the implementing state agency from conducting additional public*
39 *workshops or posting informal draft guidelines prior to posting*
40 *formal guidelines in order to inform guideline development.*

1 SEC. 26. Consistent with Provision 2 of Item 2660-110-0042
2 of Section 2.00 of the Budget Act of 2016, as amended by Chapter
3 7 of the Statutes of 2017, the five projects listed in that item are
4 part of the Riverside County Transportation Efficiency Corridor
5 and for purposes of delivery streamlining demonstration, the
6 following shall apply:

7 (a) Notwithstanding subdivision (a) of Section 130232 of the
8 Public Utilities Code, the 91 Toll Connector to Interstate 15 North
9 project may be implemented through any delivery method
10 authorized in law, including, but not limited to, the design-build
11 method or Construction Manager/General Contractor method.

12 (b) The project described in subdivision (a) may additionally
13 be implemented through an amendment or change to any existing
14 contract for the Interstate 15 express lanes construction project
15 or the State Highway Route 91 express lanes, if the Riverside
16 County Transportation Commission, with the concurrence of the
17 Department of Transportation, finds that to be a cost-effective
18 method to accelerate the delivery of that project.

19 SEC. 27. In regard to Section 4 of this act, the Legislature finds
20 and declares that a special statute is necessary and that a general
21 statute cannot be made applicable within the meaning of Section
22 16 of Article IV of the California Constitution because of the unique
23 circumstances regarding the sale of surplus residential properties
24 for State Route 710, in the County of Los Angeles.

25 SEC. 28. In regard to Sections 5, 6, 8, and 26 of this act, the
26 Legislature finds and declares that a special statute is necessary
27 and that a general statute cannot be made applicable within the
28 meaning of Section 16 of Article IV of the California Constitution
29 because of the unique circumstances regarding transportation
30 projects in the County of Riverside.

31 SEC. 29. Notwithstanding Section 2229 of the Revenue and
32 Taxation Code, no appropriation is made by Section 4 of this act
33 and the state shall not reimburse any local agency for any property
34 tax revenues lost by it pursuant to this act.

35 SEC. 30. No reimbursement is required by this act pursuant
36 to Section 6 of Article XIII B of the California Constitution for
37 certain costs that may be incurred by a local agency or school
38 district because, in that regard, this act creates a new crime or
39 infraction, eliminates a crime or infraction, or changes the penalty
40 for a crime or infraction, within the meaning of Section 17556 of

1 *the Government Code, or changes the definition of a crime within*
2 *the meaning of Section 6 of Article XIII B of the California*
3 *Constitution.*

4 *However, if the Commission on State Mandates determines that*
5 *this act contains other costs mandated by the state, reimbursement*
6 *to local agencies and school districts for those costs shall be made*
7 *pursuant to Part 7 (commencing with Section 17500) of Division*
8 *4 of Title 2 of the Government Code.*

9 *SEC. 31. This act is a bill providing for appropriations related*
10 *to the Budget Bill within the meaning of subdivision (e) of Section*
11 *12 of Article IV of the California Constitution, has been identified*
12 *as related to the budget in the Budget Bill, and shall take effect*
13 *immediately.*

14 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
15 ~~changes relating to the Budget Act of 2017.~~