

Date of Hearing: April 27, 2022

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 1975 (Nazarian) – As Amended April 18, 2022

SUBJECT: Local government: bus shelters.

SUMMARY: Requires cities and counties to submit a report that identifies the number of bus shelters within the city or county. Specifically, **this bill:**

- 1) Defines “local agency” for the purposes of this bill as a city, including a charter city, county, or city and county.
- 2) Specifies that on or before January 1, 2024, and annually thereafter, each local agency shall submit a report to the appropriate policy committees of the Legislature that identifies the number of bus shelters within the local agency.
- 3) Provides that these provisions shall remain in effect only until January 1, 2028, and as of that date are repealed.
- 4) Finds and declares that the identification of bus shelters is a matter of statewide concern and is not a municipal affair as that term is used in the California Constitution.
- 5) Specifies that, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made.
- 6) Contains other findings and declarations to support its purposes.

FISCAL EFFECT: This bill is keyed fiscal and contains a state mandated local program.

COMMENTS:

- 1) **Bill Summary and Author’s Statement.** This bill requires, by January 1, 2024, and annually thereafter, cities and counties to submit a report to all appropriate policy committees of the Legislature that identifies the number of bus shelters within the local agency. This bill is co-sponsored by Aging and Disability Network Climate Resolve, Investing in Place, Move LA Transit, and Streets for All.

According to the author, “AB 1975 will provide us the knowledge and understanding if California’s local jurisdictions have enough bus shelters. As California experiences the impacts of climate change, and more record-setting temperatures, bus shelters are a literal oasis for many. We must know how many we have, where they are located, and which areas we need to prioritize.”

- 2) **Extreme Heat in California.** The California Natural Resources Agency and the Governor’s Office of Planning and Research released a draft Extreme Heat Action Plan on January 10, 2022. The draft plan asserts that, “Climate change is increasing temperatures across the planet and in California. Extreme heat refers to temperatures that are well above normal conditions and extreme heat events are consecutive unusually hot days and nights for a given

area. Different regions of our state experience extreme heat differently; some areas accustomed to hot temperatures are experiencing very hot conditions while other areas that have been historically cool are experiencing warmer temperatures. Increasing temperatures also impact people differently. For vulnerable people, including aging populations, children and those with certain health conditions, and for people without access to air conditioning or shade, extreme heat can be dangerous – even deadly. This Action Plan responds to extreme heat as it is experienced differently across California and seeks to support tailored approaches across California’s diverse microclimates.

“Average annual temperature increases experienced over most of California have already exceeded 1°F, with some areas exceeding 2°F. The daily maximum average temperature, an indicator of extreme temperature shifts, is expected to rise 4.4°F – 5.8°F by 2050 and 5.6°F – 8.8°F by 2100. Heat waves that result in public health impacts, also referred to as heat-health events, are also projected to worsen throughout the state. By 2050, average heat-health events are projected to last two weeks longer in the Central Valley and four to ten times more often in the Northern Sierra region.

“Heat ranks amongst the deadliest of all climate change-driven hazards in California, and heat waves in cities are projected to cause two to three times more heat-related deaths by mid-century. Climate vulnerable communities will experience the worst of these effects, as heat risk is associated and correlated with physical, social, political, and economic factors. Aging populations, infants and children, pregnant people, and people with chronic illness are especially sensitive to heat exposure. Combining these characteristics and existing health inequities with additional factors, such as poverty, linguistic isolation, housing insecurity, and the legacy of racist redlining policies, can put individuals at disproportionately high risk of heat-related illness and death.”

The draft plan outlines a strategic set of state actions to address extreme heat and serves as an update to the “Preparing California for Extreme Heat Guidance and Recommendations” report released in 2013. The Action Plan identifies eight areas of near-term focus, including:

- a) Implementing a statewide public health monitoring system to identify heat illness events early, monitor trends, and track illnesses and deaths.
- b) Cooling schools in heat-vulnerable communities and support for climate smart planning.
- c) Accelerating heat readiness and protection of low-income households and expanding tree canopy in communities most impacted by extreme heat.
- d) Protecting vulnerable populations through increased heat risk-reduction strategies and codes, standards, and regulations.
- e) Building a climate smart workforce through training partnerships and apprenticeships in jobs and careers that address extreme heat.
- f) Increasing public awareness to reduce risks posed by extreme heat.
- g) Supporting local and regional extreme heat action.

h) Protecting natural systems, including fish and wildlife, from the impacts of extreme heat.

- 3) **Existing Reports.** Some local agencies that provide transit services have completed and published reports on the state of the bus stops within their jurisdictions. In February 2018, Antelope Valley Transit Authority's (AVTA) Stops and Zones Crew completed a 100-percent inventory of all AVTA bus stops and associated items within the Antelope Valley. The AVTA serves a population of over 475,000 residents of the Cities of Lancaster and Palmdale, as well as the unincorporated portions of northern Los Angeles County. AVTA's total service area covers 1,200 square miles and is bounded by the Kern County line to the north, the San Bernardino County line to the east, the Angeles National Forest to the south, and Interstate 5 to the West. The fixed route service area consists of approximately 100 square miles.

AVTA's inventory had multiple objectives: (1) comprehensive cataloguing of all AVTA local bus stops; (2) preliminary assessment of ADA accessibility; (3) determination of ownership of bus stop amenities (i.e., shelters, benches, trash receptacles, etc.); (4) support future service planning; (5) assessment of the equipment "State of Good Repair" (SGR); (6) prioritization of future bus stop improvements; and (7) justification for future capital grants.

Additionally, the Golden Empire Transit District (GET) issued a bus stop facilities inventory in February 2019. GET is the primary public transportation provider for the Bakersfield Urbanized Area, and is the largest public transit system within a 110-mile radius. The District's boundary includes Bakersfield city limits as well as adjacent unincorporated areas.

The inventory identified that out of 1,024 bus stops, 170 stops has passenger waiting shelters. According to the report, "Bus shelters are covered, semi-enclosed waiting areas with benches at bus stops. They offer protection from inclement weather conditions, provide for passenger comfort, and establish a transit presence within a local area. Shelters should be installed at stop locations where:

- a) Passenger volumes exceed 40 boardings per day.
- a) Bus stops are located at major transfer points.
- b) Bus stops are located adjacent to schools, shopping, medical facilities, senior citizen housing, community and recreation centers, and disabled residents.

The inventory stated that, "In cases where there is existing transit service and a new development is the dominant traffic generator, GET may consider the installation of a bus shelter as part of its site plan review. If a jurisdiction requires a developer to construct and install a bus shelter as part of a proposed development, the jurisdiction should consult with GET to determine the need for the shelter, and if there is a need, the developer must coordinate the installation with GET. As part of this process, GET must approve the bus shelter design to ensure it meets the proper design criteria and ADA requirements. This assures that if GET assumes responsibility for the maintenance of the shelter, costs and upkeep can be minimized. The enforcement of any requirements is the responsibility of the jurisdiction."

- 4) **Policy Consideration.** Responsibility for California’s public transit systems varies widely across the state. Many local agencies that provide public bus services are not a city or a county and are often independent transit authorities. While cities and counties could certainly inventory all bus shelters within their jurisdictions, would it be more appropriate for those agencies that are providing the bus service to conduct a report? The Committee may wish to consider if cities and counties are best suited to complete the report required by this bill or if the requirement should be placed on the relevant transit agencies that provide the bus service.
- 5) **Arguments in Support.** According to a coalition of groups, “For low-income workers, seniors, and people with disabilities who rely on bus transit as their primary mode of transportation, not having shade is potentially fatal. Shade structures can lower the temperature of surfaces by 25 to 40 degrees Fahrenheit.

“Bus shelters can provide for the safety, convenience, accessibility, and comfort of bus riders. Emergency call buttons, lighting, and real-time bus schedules are some examples of critical safety features. The lack of shelter deters people from using buses which makes it harder for California to achieve its greenhouse gas emissions goals.

“Assembly Bill 1975 stands to increase the use of public transit, improve air quality and reduce greenhouse gas emissions by making bus shelter and street furniture a matter of statewide concern and requiring local agencies to annually inventory the number of bus shelters, thereby helping to identify gaps, particularly in the most disadvantaged communities.”

- 6) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

Aging and Disability Network [CO-SPONSOR]
 Climate Resolve [CO-SPONSOR]
 Investing in Place [CO-SPONSOR]
 Move LA Transit [CO-SPONSOR]
 Streets for All [CO-SPONSOR]
 AARP (Prior Version)
 Active San Gabriel Valley
 CalBike
 CALIF ILC
 ClimatePlan
 Los Angeles Walks
 Natural Resources Defense Council
 Safe Routes Partnership
 Tolar Manufacturing Co., Inc.

Opposition

None on file

Analysis Prepared by: Jimmy MacDonald / L. GOV. / (916) 319-3958