



July 7, 2009

Honorable Alan Lowenthal  
Senate Committee on Transportation & Housing  
State Capitol, Rm 2209  
Sacramento, CA 95814

**Re: Concerns about AB 744 (Torrice) Toll Lanes: Express Lane Network**

Dear Senator Lowenthal,

TransForm (formerly TALC, the Transportation and Land Use Coalition) has significant concerns about AB 744's failure to sufficiently address issues of equity, funding for public transportation, and the potential for degrading travel speeds of carpools and transit vehicles, thus reducing overall vehicle occupancy levels.

**Equity Concerns:** The current language requiring an equity analysis is totally inadequate. All that is actually required is "a proposal for how to minimize any inequities that are identified". The legislation does not require that this "proposal" is funded or implemented. Rather, it seems like any resultant proposal may remain a mere set of recommendations in a report on somebody's shelf.

**Funding for Public Transportation:** The lack of dedicated, upfront funding for public transit, combined with highly unrealistic revenue scenarios, mean that AB 744 may simply be a major highway expansion authorization bill, even if MTC does truly hope that some day, far in the future, there would be some net revenue for transit projects. The potential for overpromising of revenues, as MTC has already started to do by dedicating \$2 billion in future net HOT lane revenues towards discretionary projects in the 2009 Regional Transportation Plan, may mean that MTC prioritizes revenue generation over vehicle or person throughput, as indicated in the committee analysis. As transit funding is cut and we strive to implement SB 375, the failure to make a clear commitment of revenue to public transit is totally unacceptable. As a member of the SB 375 Regional Targets Advisory Committee (RTAC) I can report that many RTAC members already feel we should only attempt to achieve low greenhouse gas reduction targets because of the dearth of funding for public transit. Any authorizing legislation for a HOT network should make a clear commitment to funding public transportation.

**Degradation of speeds for carpool and transit vehicles:** There should be no degradation of speed for current or future carpools, vanpools and transit riders. Yet, the legislation allows

speeds to degrade to LOS C, or even LOS D in certain cases. If HOT lanes are really a way to better manage highway traffic, as MTC frequently states, then they should ideally be free-flowing (when fare-paying riders are allowed in). Otherwise we may have the perverse consequence of lowering average vehicle occupancies.

On behalf of TransForm, I urge you to work with the author to address these issues in a two-year bill process.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Stuart Cohen". The signature is written in a cursive style with a long horizontal flourish at the end.

Stuart Cohen  
Executive Director