



**San Gabriel Valley Council of Governments**  
**AGENDA AND NOTICE OF THE SPECIAL MEETING OF THE**  
**TRANSPORTATION COMMITTEE – NOVEMBER 21, 2019 – 3:30 PM**  
**FOOTHILL TRANSIT BUILDING**  
**100 S. VINCENT AVENUE, SUITE 200, WEST COVINA, CA 91790**

Chair  
**John Fasana**  
City of Duarte

Vice Chair  
**Jason Pu**  
City of San Gabriel

**Members**  
*Alhambra*  
*Claremont*  
*Diamond Bar*  
*Duarte*  
*Glendora*  
*Industry*  
*Monterey Park*  
*Pomona*  
*San Gabriel*  
*South El Monte*  
*South Pasadena*  
*Temple City*  
*Walnut*  
*L.A. County District #1*  
*L.A. County District #5*

Thank you for participating in today's meeting. The Transportation Committee encourages public participation and invites you to share your views on agenda items.

**MEETINGS:** *Regular Meetings of the Transportation Committee are held on the third Thursday of each month at 3:00 PM at the City of Duarte Community Center (1600 E. Huntington Drive, Suite B, Duarte, CA 91010).* The Transportation Committee agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, [www.sgvkog.org](http://www.sgvkog.org). Copies are available via email upon request ([sgv@sgvcog.org](mailto:sgv@sgvcog.org)). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

**CITIZEN PARTICIPATION:** Your participation is welcomed and invited at all Transportation Committee meetings. Time is reserved at each regular meeting for those who wish to address the Committee. SGVCOG requests that persons addressing the Committee refrain from making personal, slanderous, profane, or disruptive remarks.

**TO ADDRESS THE TRANSPORTATION COMMITTEE:** At a regular meeting, the public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The Transportation Committee may not discuss or vote on items not on the agenda.**

**AGENDA ITEMS:** The Agenda contains the regular order of business of the Transportation Committee. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Transportation Committee can be fully informed about a matter before making its decision.

**CONSENT CALENDAR:** Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Committee.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



## **PRELIMINARY BUSINESS**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment (*If necessary, the Chair may place reasonable time limits on all comments*)
5. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting

**CONSENT CALENDAR** (*It is anticipated that the Transportation Committee may take action on the following matters*)

6. Transportation Committee Meeting Minutes – 10/24/2019 (**Page 1**)  
*Recommended Action: Approve.*

**DISCUSSION ITEMS** (*It is anticipated that the Transportation Committee may take action on the following matters*)

7. 2020 Transportation Committee Legislative Priorities – Paul Hubler, Director of Government and Community Relations, SGVCOG (**Page 5**)  
*Recommended Action: Discuss and provide direction to staff.*

**PRESENTATIONS** (*It is anticipated that the Transportation Committee may take action on the following matters*)

8. San Gabriel Valley Greenway Network Implementation Plan – Julian Juarez, Senior Civil Engineer, Los Angeles County Department of Public Works (**Page 29**)  
*Recommended Action: For information only.*

**METROPOLITAN TRANSPORTATION AUTHORITY (MTA) REPORT** (*It is anticipated that the Transportation Committee may take action on the following matters*)

9. Oral Report  
*Recommended Action: For information only.*

## **UPDATE ITEMS**

10. Metrolink Update  
*Recommended Action: For information only.*
11. Gold Line Update  
*Recommended Action: For information only.*

**EXECUTIVE DIRECTOR'S REPORT** (*It is anticipated that the Transportation Committee may take action on the following matters*)

**12. Oral Report**

*Recommended Action: For information only.*

**ANNOUNCEMENTS**

**ADJOURN**





## SGVCOG Transportation Committee **Special** Meeting Minutes

Date: October 24, 2019

Time: **3:30 P.M.**

Location: **Foothill Transit Office**

**100 S. Vincent Avenue, Suite 200, West Covina, CA 91790**

### PRELIMINARY BUSINESS

1. Call to Order.  
J. Fasana called the meeting to order at 3:33pm.
2. Pledge of Allegiance  
J. Fasana led the Transportation Committee in the Pledge of Allegiance.
3. Roll Call

#### **Members Present**

E. Reece; Claremont  
D. Liu; Diamond Bar  
J. Fasana; Duarte  
S. Mateer; Glendora  
C. Moss; Industry  
P. Chan; Monterey Park  
R. Guerrero; Pomona  
J. Pu; San Gabriel  
G. Olmos; South El Monte  
M. Reyes; L.A. County District #1

#### **Members Absent**

Alhambra  
South Pasadena  
Temple City  
Walnut  
L.A. County District #5

#### **SGVCOG Staff**

M. Creter, Executive Director  
M. Christoffels, Staff  
A. Fung, Staff

#### **Guests**

A. Ross; Los Angeles County DPW  
T. Corona; Metro  
M. Echternach, Metro  
L. Levy Buch; Foothill Gold Line

4. Public Comment  
No public comments were given at this meeting.
5. Changes to the Agenda Order  
There were no changes to the agenda.

### CONSENT CALENDAR

6. Transportation Committee Meeting Minutes – 09/19/2019  
**There was a motion made to approve the 09/19/2019 Transportation Committee Meeting Minutes (M/S: E. Reece/P. Chan).**

**[Motion Passed]**

Ayes	Claremont, Diamond Bar, Duarte, Glendora, Industry, Monterey Park, Pomona, San Gabriel, South El Monte, L.A. County District #1
Noes	

Abstain	
Absent	Alhambra, South Pasadena, Temple City, Walnut, L.A. County District #5

## PRESENTATIONS

### 7. SB 743 Implementation

Representatives from Iteris, Inc. presented on SB 743 (Steinberg), which was approved by former Governor Brown in 2013 to create a procedure to change transportation impact analytical methods under the California Environmental Quality Act (CEQA). The bill changed the focus of transportation impact analysis in CEQA from measuring impacts to drivers to measuring the impact of driving. Specifically, the change replaced level of service (LOS) with vehicle miles of travel (VMT) and provided an efficient review of land use and transportation projects that aim to reduce future VMT growth.

#### Questions/Discussions:

- A committee member inquired about whether cities are responsible for the cost of conducting assessments to create a traffic model. Iteris representatives responded that many cities have spent a lot of public funds to develop traffic models for their communities.
- Another committee member inquired about whether Los Angeles County would be responsible for conducting traffic models for the unincorporated communities. Iteris representatives reported that the County would be responsible for developing those traffic models for unincorporated areas.
- A committee member inquired about the possibility of developing a traffic demand model for the San Gabriel Valley region. SGVCOG Chief Engineer, Mark Christoffels, mentioned that the SGVCOG did not develop a traffic demand model for the region. Iteris representatives also mentioned that the Western Riverside Council of Governments (WRCOG) hired a consultant to develop a traffic model for the cities to use as a framework.
- Committee members directed staff to forward the presentation to the committee's mailing list and suggested SGVCOG technical advisory committees (TACs) explore the possibility of developing a regional traffic analysis model.

### 8. I-605 Corridor Aesthetics Master Plan

SGVCOG Chief Engineer, Mark Christoffels, provided a presentation on the I-605 Corridor Aesthetics Master Plan. The Gateway Cities Council of Governments (GCCOG) formed an Aesthetics Committee to develop a uniform approach to future highway improvements on the I-605 freeway. The committee, which is comprised of members from GCCOG, SGVCOG, Los Angeles County Metropolitan Transportation Authority (Metro), and California Department of Transportation (CalTrans), provided background information and community preferences for the overall proposed aesthetic design of the I-605 freeway. Each agency is now being requested to approve the Master Plan with the understanding that these guidelines will be used on any future project constructed along the I-605 Corridor from the 405 to the 210 freeways.

#### Questions/Discussions:

- A committee member inquired whether the plan would apply to ramps. Mr. Christoffels responded that the adoption of the plan would assure the consistent look on the 605 freeway improvements and enhancements within the SGVCOG jurisdiction.

**There was a motion made for the Transportation Committee to recommend the SGVCOG Governing Board approve the I-605 Corridor Aesthetics Master Plan (M/S: G. Olmos/J. Pu).**

**[Motion Passed]**

Ayes	Claremont, Diamond Bar, Duarte, Glendora, Industry, Monterey Park, Pomona, San Gabriel, South El Monte, L.A. County District #1
Noes	
Abstain	
Absent	Alhambra, South Pasadena, Temple City, Walnut, L.A. County District #5

**METROPOLITAN TRANSPORTATION AUTHORITY (MTA) REPORT**

**9. Oral Report**

Tito Corona, Metro Public Affairs Manager, reported that Bus Rapid Transit (BRT) meetings will be held next month to discuss BRT routes in the cities and communities of Pasadena, Glendale, Burbank, Eagle Rock, and North Hollywood. Metro Board Staff, Mary Lou Echternach, reported that Governor signed AB 29 (Holden) and SB 7 (Portantino) and that SB 664 (Allen) became a two-year bill.

**UPDATE ITEMS**

**10. Metrolink Update**

There were no updates from Metrolink.

**11. Gold Line Update**

Lisa Levy Buch, Foothill Gold Line Chief Communications Officer, announced that the design-build contract for Foothill Gold Line extension was signed on Friday, October 4, 2019. Major constructions are not expected to begin until next summer due to designing and planning stages of the extension project.

**EXECUTIVE DIRECTOR'S REPORT**

**12. Oral Report**

Marisa Creter, SGVCOG Executive Director, announced that the 626 Golden Streets: Streets and Treats event will be held on Saturday, October 26, 2019 from 9:00am to 4:00pm in the Cities of El Monte and South El Monte.

**ANNOUNCEMENTS**

There were no additional announcements at this meeting.

**ADJOURN**

The meeting adjourned at 4:41pm.





DATE: November 21, 2019

TO: Transportation Committee

FROM: Marisa Creter, Executive Director

RE: **2020 TRANSPORTATION LEGISLATIVE PRIORITIES**

## **RECOMMENDED ACTION**

Discuss and provide direction to staff.

## **BACKGROUND**

The SGVCOG Governing Board annually adopts a comprehensive legislative platform consistent with the Strategic Plan and in furtherance of the interests of the region and our member agencies. The platform helps guide and inform the legislative, policy and programmatic actions and positions taken by the SGVCOG over the course of the calendar year. This report reviews the accomplishments and issues facing San Gabriel Valley priority transportation and other capital projects at the local, state and federal levels in 2019 and presents proposed objectives for 2020. Due to policy area overlap, this report will be double-referred to the Transportation Committee and then to the Capital Projects and Construction Committee for review and recommendation.

At the local level over the past year, the SGVCOG approved the discretionary allocation of \$126 million regional equity funds administered by the Los Angeles County Metropolitan Transportation Authority (Metro) to ensure construction of the Foothill Gold Line light rail extension to Pomona. This action was taken while acknowledging that other regional priority projects, such as the SR-57/60 Chokepoint Relief Project, the SR-60 alignment of the Eastside Gold Line extension and the SR-71 project, may need similar SGVCOG support in the future. The SGVCOG has also adopted the proposed Multi-Year Subregional Program to allocate \$31.8 million in sales tax funds to numerous local projects sponsored by member agencies, is implementing a state-funded regional electric-assist bike share program and organizing periodic Open Streets events.

At the state level over the past calendar year, SGVCOG staff prepared and submitted applications to the state seeking the award of Section 190 Grade Separation Program funds to three Alameda Corridor-East (ACE) projects. In May, Caltrans announced the award of \$5 million each to Fullerton Road, Durfee Avenue, and Fairway Drive grade separation projects. The \$15 million awarded was the full amount made available annually statewide from this grant program.

Staff also advocated before the California Transportation Commission to request permission for ACE project savings from the Proposition 1B trade corridor program to be redirected to ACE projects funded under the SB 1 trade corridor program. The Commission approved the request and staff is working to secure approval in early 2020 to reprogram \$18.8 million in estimated savings to the ACE Montebello Boulevard project. Staff also initiated a successful regional advocacy effort to halt Senate Bill 498 (Hurtado) which otherwise would have diverted ACE program savings to a new short-line railroad program.

At the federal level, discretionary grant program applications were prepared and submitted seeking the award of \$20 million for the ACE Montebello Boulevard project from the INFRA program and, separately, from the BUILD grant program. SGVCOG Governing Board members and staff participated in advocacy trips to Washington, DC in May and October in support of the applications as well as in March for a separate application for the SR-57/60 project. Despite the strong support of our Congressional delegation and favorable recommendations by DOT review teams, the INFRA and BUILD grant applications were not awarded.

A welcome development in Washington, DC came in July when a Senate committee introduced a bipartisan surface transportation program bill to invest \$287 billion over five years in upgrading our nation's roads, highways and bridges – an increase of 27 percent from levels authorized in the FAST Act of 2015. Of interest to freight projects, the bill provides an additional \$1 billion for the INFRA grant program and an increase of \$2.2 billion for the freight highway program distributed by formula to states. The House and Senate are expected to continue work next year on reauthorization of the FAST Act, which expires in September 2020.

## **2020 TRANSPORTATION LEGISLATIVE PRIORITIES**

Based on these accomplishments and developments, staff recommends adoption of the following legislative priorities for calendar year 2020:

### **State and Regional:**

- Submit and/or advocate for funding requests, grant applications or specific budget earmarks to ensure San Gabriel Valley transportation and capital projects and programs are timely allocated or awarded Metro-administered funds, SB 1 and other state funds, and relevant county-administered funds.
- Support the development of transportation and capital projects best practices and funding programs beneficial to San Gabriel Valley transportation and capital projects and programs.
- Support legislative or administrative efforts to expedite environmental and permitting approvals and project delivery of San Gabriel Valley transportation and capital projects and programs.
- Support passage of SB 664 (Allen) or similar legislation, proposing policy changes that create stronger privacy protections for toll customer data, while allowing interoperability among toll operators, and improve certain aspects related to citations and toll collection for Metro ExpressLanes.
- Continue efforts to recycle ACE program savings onto underfunded ACE projects and to secure matching funds from Metro and oppose further attempts to redirect ACE program savings from ACE projects.
- Support and continue efforts to obtain funding for the development of a regional traffic analysis model for the San Gabriel Valley region to assist its member agencies' compliance with SB 743 (Steinberg), requiring CEQA analysis of vehicle miles traveled.
- Continue to build upon regional collaboration with the San Gabriel Valley Legislative Caucus, the Mobility 21 coalition, and other stakeholders to benefit San Gabriel Valley transportation and capital projects and programs.

- Facilitate discussion of concepts that can improve transit operations such as dedicated bus lanes, first/last-mile options, and route restructuring.

### Federal:

- Propose and advocate policies, funding and programs beneficial to San Gabriel Valley transportation and capital projects and programs, including in the context of the reauthorization of the FAST Act multi-year surface transportation program legislation, possible standalone legislation or other relevant legislation.
- Support transportation and capital projects in the San Gabriel Valley.
- Support legislative or administrative efforts to expedite environmental and permitting approvals and project delivery of San Gabriel Valley transportation and capital projects and programs.
- Work with the Coalition for America's Gateways and Trade Corridors, Metro and other stakeholders in support of these legislative priorities and other matters that benefit San Gabriel Valley transportation and capital projects and programs.
- Advocate for policies that do not cause California to lose federal funding due to revised fuel mileage standards for motor vehicles.

Staff recommends the adoption of these legislative priorities intended to advance the SGVCOG's priority transportation and other capital projects and programs to provide enhanced mobility and quality of life and reduced environmental degradation.

Prepared by:

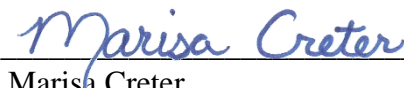


Alexander P. Fung  
Management Analyst



Paul Hubler  
Director of Government and Community Relations

Approved by:



Marisa Creter  
Executive Director

### ATTACHMENTS

Attachment A – SB 664 (Allen) Bill Language



AMENDED IN ASSEMBLY SEPTEMBER 10, 2019

AMENDED IN ASSEMBLY AUGUST 13, 2019

AMENDED IN ASSEMBLY JUNE 10, 2019

**SENATE BILL**

**No. 664**

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**Introduced by Senator Allen**

**(Coauthor: Senator Beall)**

*(Coauthors: Assembly Members Daly and Mullin)*

February 22, 2019

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An act to amend Sections 27565 and 31490 of the Streets and Highways Code, and to amend Sections 23302.5 *and 40267 of, and to amend, repeal, and add Section 40254-of of*, the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 664, as amended, Allen. Electronic toll and transit fare collection systems.

(1) Existing law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with specified objectives, including that a vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. *Existing law authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility.*

This bill would expand the above-described objective so that a user of a toll facility shall also not be required to purchase or install more than one device to use on all toll facilities. *The bill would limit the above-described authorization to those operators engaged in an interstate interoperability program. The bill would assert that these provisions are declarative of existing law.*

(2) Existing law prohibits a transportation agency from selling or providing to any other person or entity personally identifiable information, as defined, of a person who subscribes to an electronic toll or electronic transit fare collection system or who uses a toll facility that employs an electronic toll collection system, except as specified. Existing law, with certain exceptions, requires a transportation agency to discard personally identifiable information within ~~4½~~ 4 1/2 years, as specified.

Under existing law, the requirement that the transportation agency discard personally identifiable information, as described above, does not prohibit a transportation agency or its designee from performing financial and accounting functions such as billing, account settlement, enforcement, or other financial activities required to operate and manage the electronic toll collection system or electronic transit fare collection system.

This bill would instead provide that a transportation agency is not prohibited from using or providing personally identifiable information ~~to any other person or entity~~ for purposes of operating and managing an electronic toll collection or electronic transit fare collection system, *auditing*, or performing *billing*, collection, account maintenance, account settlement, and enforcement ~~activities~~. *activities, but would require the transportation agency to limit the personally identifiable information it provides to information relevant to assist in carrying out the intended function.*

~~This bill would prohibit, on or after January 1, 2020, prohibit~~ a transportation agency from using or providing personally identifiable information for purposes of issuing public safety and travel alerts, or customer surveys, unless the transportation agency has received express written consent to do so.

Existing law defines “transportation agency” for these purposes as the Department of Transportation, the Bay Area Toll Authority, any entity operating a toll bridge, toll lane, or toll highway within the state, any entity administering an electronic transit fare collection system and

any transit operator participating in that system, or any entity under contract with those entities.

This bill would expand the definition of “transportation agency” to also include any entity under contract at any level, including subcontractors, with those entities for purposes of billing, *collection*, *account maintenance*, account settlement, enforcement, communications, ~~or other activities related to the operation~~ *auditing*, *operating*, or management of an electronic toll collection system or electronic fare collection system.

This bill would make a contractor or subcontractor that accesses, collects, uses, or retains personally identifiable information for a purpose other than *billing*, *collection*, *account maintenance*, *account settlement*, *communications*, *auditing*, *operating*, *management*, or enforcement activities, liable, as specified.

This bill would assert that certain of the above-described bill provisions are declarative of existing law.

(3) Existing law prohibits a person from evading or attempting to evade the payment of tolls or other charges on any vehicular crossing or toll highway and subjects a violator to civil penalties governed by a civil administrative procedure that includes an administrative investigation and review procedure, and an administrative and judicial appeal process.

This bill would provide that a notice of toll evasion issued, as specified, ~~would subject the registered owner~~ *is a civil violation subject* to civil penalties. *The bill would assert that this provision is declarative of existing law.*

~~This bill would require that changes made to these provisions by this bill apply retroactively to January 1, 2011.~~

(4) Existing law requires that a notice of a toll evasion violation set forth specified information, including, among other things, if applicable, if a vehicle is found, by automated devices, to have evaded the toll through failure to meet occupancy requirements in a high-occupancy toll lane, a copy of photographic evidence on which the determination was based.

Existing law requires the processing agency to prepare and forward a notice of toll evasion violation to the registered owner of the vehicle cited for the violation, as specified. Existing law requires the processing agency to use its best efforts to obtain accurate information concerning the identity and address of the registered owner for the purpose of forwarding a notice of toll evasion violation.

~~This bill would delete the requirement that the toll evasion, if applicable, failed to meet occupancy requirements in a high-occupancy toll lane. The bill would also provide that, would, on and after January 1, 2021, forwarding the notice to an address provided by certain governmental entities, or taking an additional step to identify a potential alternative address for purposes of sending the notice and forwarding of the notice to that address, constitutes evidence of adequate delivery of notice. revise and recast the requirements on issuing and processing agencies to prepare and forward notices of toll evasion violations and the penalties for toll violations. The bill would would, on and after January 1, 2021, prohibit the pursuit of a penalty for any toll evasion violation unless the notice of the violation has been forwarded as described. provision requirements have been complied with.~~

This bill would authorize the processing agency to use any reliable source to obtain the registered owner's information and would provide that using an address provided as described above constitutes ~~prima facie evidence of its best efforts.~~

*(5) Existing law authorizes a processing agency to contract with a collection agency to collect unpaid toll evasion penalties, fees, and charges.*

*This bill would prohibit the issuing agency and collection agency from contracting with a towing company to tow a vehicle for unpaid toll evasion penalties, fees, or charges.*

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

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

- 1 SECTION 1. Section 27565 of the Streets and Highways Code
- 2 is amended to read:
- 3 27565. (a) The department, in cooperation with the district
- 4 and all known entities planning to implement a toll facility in this
- 5 state, shall develop and adopt functional specifications and
- 6 standards for an automatic vehicle identification system, in
- 7 compliance with all of the following objectives:
- 8 (1) In order to be detected, the driver shall not be required to
- 9 reduce speed below the applicable speed for the type of facility
- 10 being used.
- 11 (2) A vehicle owner or user of a toll facility shall not be required
- 12 to purchase or install more than one device to use on all toll



1 facilities, but may be required to have a separate account or  
2 financial arrangement for the use of these facilities.

3 (3) The facility operators shall have the ability to select from  
4 different manufacturers and vendors. The specifications and  
5 standards shall encourage multiple bidders, and shall not have the  
6 effect of limiting the facility operators to choosing a system that  
7 is able to be supplied by only one manufacturer or vendor.

8 (b) Except as provided in subdivision (c), an automatic vehicle  
9 identification system purchased or installed after January 1, 1991,  
10 shall comply with the specifications and standards adopted pursuant  
11 to subdivision (a).

12 (c) Subdivision (b) does not apply to an interim automatic  
13 vehicle identification system for which a contract is entered into  
14 between an entity planning to implement a toll facility and the  
15 supplier of the interim system before January 1, 1994, if both of  
16 the following requirements are met:

17 (1) The department has made a written determination that the  
18 installation and operation of the interim system will expedite the  
19 completion of the toll facility and its opening to public use.

20 (2) The entity planning to implement the toll facility has entered  
21 into an agreement with the department to install, within five years  
22 after any portion of the toll facility is opened for public use, an  
23 automatic vehicle identification system meeting the specifications  
24 and standards adopted pursuant to subdivision (a).

25 (d) The automated vehicle identification system developed by  
26 the department pursuant to subdivision (a) shall be capable of  
27 identifying various types of vehicles, including, but not limited to,  
28 commercial vehicles.

29 (e) On and after the date specified in the federal Moving Ahead  
30 for Progress in the 21st Century Act for implementation of  
31 *interstate* interoperability of electronic toll collection on federal-aid  
32 highways, operators of toll facilities on federal-aid highways may  
33 fully implement technologies or business practices that provide  
34 for the *interstate* interoperability of electronic toll collection  
35 programs consistent with federal law. Operators of toll facilities  
36 on federal-aid highways engaged in an *interstate* interoperability  
37 program may provide only the following information regarding a  
38 vehicle's use of the toll facility, and shall otherwise comply with  
39 all federal and state privacy protection laws, including, but not  
40 limited to, Section 31490:

- 1 (1) License plate number.
- 2 (2) Transponder identification number.
- 3 (3) Date and time of transaction.
- 4 (4) Identity of the agency operating the toll facility.

5 SEC. 2. Section 31490 of the Streets and Highways Code is  
6 amended to read:

7 31490. (a) Except as otherwise provided in this section, a  
8 transportation agency may not sell or otherwise provide to any  
9 other individual or entity personally identifiable information of  
10 any person who subscribes to an electronic toll or electronic transit  
11 fare collection system or who uses a toll bridge, toll lane, or toll  
12 highway that employs an electronic toll collection system.

13 (b) A transportation agency that employs an electronic toll  
14 collection or an electronic transit fare collection system shall  
15 establish a privacy policy regarding the collection and use of  
16 personally identifiable information and provide to subscribers of  
17 that system a hard copy of the privacy policy or internet link to  
18 the privacy policy in a manner that is conspicuous and meaningful,  
19 such as by providing a link to the policy on the home page of the  
20 agency's internet website *for the electronic toll collection or an*  
21 *electronic transit fare collection system* to the subscriber with the  
22 transponder, electronic transit pass, or other device used as an  
23 electronic toll or electronic transit fare collection ~~mechanism~~;  
24 ~~mechanism~~ in an email acknowledging that the subscription process  
25 was successfully completed, or, if the system does not use such  
26 mechanisms, with the application materials. A transportation  
27 agency shall conspicuously post its privacy policy on its internet  
28 website. For purposes of this subdivision, "conspicuously post"  
29 has the same meaning as that term is defined in paragraphs (1) to  
30 (4), inclusive, of subdivision (b) of Section 22577 of the Business  
31 and Professions Code. The privacy policy shall include, but need  
32 not be limited to, a description of the following:

33 (1) The types of personally identifiable information that is  
34 collected by the agency.

35 (2) The categories of individuals or entities with whom the  
36 agency may share personally identifiable information.

37 (3) The process by which the transportation agency notifies  
38 subscribers of material changes to its privacy policy.

39 (4) The effective date of the privacy policy.

1 (5) The process by which a subscriber may review and request  
2 changes to any of the subscriber's personally identifiable  
3 information.

4 (c) A transportation agency may, within practical business and  
5 cost constraints, store only personally identifiable information of  
6 a person such as, to the extent applicable, the account name, credit  
7 card number, billing address, vehicle information, and other basic  
8 ~~account~~ *account, pay-by-plate*, or violation information required  
9 to perform functions such as billing, account settlement, or  
10 enforcement activities. All other ~~information~~ *information,*  
11 *pay-by-plate information, and violation information* shall be  
12 discarded no more than four years and six months after the billing  
13 cycle has concluded, the bill has been paid, and all toll or fare  
14 violations, if applicable, have been resolved.

15 (d) A transportation agency shall make every effort, within  
16 practical business and cost constraints, to purge the personal  
17 account information of an account that is closed or terminated. In  
18 no case shall a transportation agency maintain personal information  
19 more than four years and six months after the date an account is  
20 closed or terminated.

21 (e) (1) A transportation agency may make personally  
22 identifiable information of a person available to a law enforcement  
23 agency only pursuant to a search warrant. Absent a provision in  
24 the search warrant to the contrary, the law enforcement agency  
25 shall immediately, but in any event within no more than five days,  
26 notify the person that their records have been obtained and shall  
27 provide the person with a copy of the search warrant and the  
28 identity of the law enforcement agency or peace officer to whom  
29 the records were provided.

30 (2) This section does not prohibit a transportation agency from  
31 making personally identifiable information of a person available  
32 to a peace officer, as defined in Section 830.1 or 830.2 of the Penal  
33 Code, when that peace officer is conducting a criminal or traffic  
34 collision investigation, if the officer has good cause to believe that  
35 a delay in obtaining this information by seeking a search warrant  
36 would cause an adverse result, as defined in subparagraphs (A) to  
37 (E), inclusive, of paragraph (2) of subdivision (a) of Section 1524.2  
38 of the Penal Code.

39 (f) This section does not prohibit a transportation agency from  
40 providing aggregated traveler information derived from collective

1 data that relates to a group or category of persons from which  
2 personally identifiable information has been removed.

3 (g) This section does not prohibit a transportation agency, with  
4 respect to an electronic toll collection system, from providing the  
5 license plate number of an intermodal chassis to the owner of the  
6 chassis for purposes of locating the driver of the chassis in the  
7 event the driver fails to pay a toll.

8 (h) This section, with respect to an electronic toll collection  
9 system, does not prohibit a transportation agency from sharing  
10 data with another transportation agency solely to comply with  
11 interoperability specifications and standards adopted pursuant to  
12 *subdivision (a) of* Section 27565 regarding electronic toll collection  
13 devices and technologies. A third-party vendor may not use  
14 personally identifiable information obtained under this subdivision  
15 for a purpose other than described in this subdivision.

16 (i) This section shall not prohibit a transportation agency from  
17 using or providing personally identifiable information for purposes  
18 of operating and managing an electronic toll collection or electronic  
19 transit fare collection system, *auditing*, or performing *billing*,  
20 collection, account maintenance, account settlement, and  
21 enforcement activities. ~~On or after January 1, 2020, a~~ A  
22 transportation agency shall not use or provide personally  
23 identifiable information for purposes of issuing public safety and  
24 travel alerts, or customer surveys, unless the transportation agency  
25 has received express written consent to do so. *A transportation*  
26 *agency shall limit the personally identifiable information it*  
27 *provides for purposes of operating or managing the electronic toll*  
28 *collection system or electronic transit fare collection system to*  
29 *information relevant to assist in carrying out the intended function.*

30 (j) In addition to uses of personally identifiable information  
31 authorized in subdivision (i), a transportation agency may  
32 communicate to subscribers of an electronic toll collection system  
33 or an electronic transit fare collection system about products and  
34 services offered ~~by, by~~ the agency, a business partner, or the entity  
35 with which it contracts for the system, using personally identifiable  
36 information limited to the subscriber's name, address, and  
37 electronic mail address, provided that, for personally identifiable  
38 information acquired on or after January 1, 2011, the transportation  
39 agency has received the subscriber's express written consent to  
40 receive the ~~communications~~ *communications*. *A transportation*

1 *agency shall not use personally identifiable information obtained*  
2 *through the electronic toll collection system to market a private*  
3 *business entity's nontoll-related product or service. On and after*  
4 *July 1, 2020, express written consent shall be obtained in a manner*  
5 *that is separate from the transportation agency's privacy policy or*  
6 *terms and conditions. conditions before any personally identifiable*  
7 *information is used for purposes of this subdivision. The consent*  
8 *required by this subdivision may be revoked at any time through*  
9 *procedures established by the transportation agency.*

10 (k) A transportation agency ~~may~~ *shall* not use a nonsubscriber's  
11 personally identifiable information obtained using an electronic  
12 toll collection or electronic transit fare collection system to market  
13 products or services to that nonsubscriber. This subdivision shall  
14 not apply to toll-related products or services contained in a notice  
15 ~~of toll evasion. related to a toll evasion or an invoice where~~  
16 *pay-by-plate toll payment is authorized. The marketing authorized*  
17 *under this subdivision shall be limited to information about the*  
18 *toll bridge, toll lane, or toll highway, subscribing to an electronic*  
19 *toll collection system, and alternative means of toll payment.*

20 (l) For purposes of this section, "transportation agency" means  
21 the Department of Transportation, the Bay Area Toll Authority,  
22 any entity operating a toll bridge, toll lane, or toll highway within  
23 the state, any entity administering an electronic transit fare  
24 collection system and any transit operator participating in that  
25 system, or any entity under contract at any level, including  
26 subcontractors, with any of the above entities for purposes of  
27 billing, *collection, account maintenance, account settlement,*  
28 *enforcement, communications, or other activities related to the*  
29 *operation auditing, operating, or management of an electronic toll*  
30 *collection system or electronic transit fare collection system. A*  
31 *transportation agency and any entity under contract for a purpose*  
32 *enumerated above shall be deemed a single "transportation agency"*  
33 *for purposes of this section. A contractor or subcontractor shall*  
34 *not access, collect, use, or retain personally identifiable information*  
35 *obtained under this section for a purpose other than collection,*  
36 *account maintenance, account settlement, communications, or*  
37 *enforcement activities; those enumerated above, and is subject to*  
38 *the data retention limits described in subdivision (e). subdivisions*  
39 *(c) and (d). If a contractor or subcontractor accesses, collects, uses,*  
40 *or retains personally identifiable information for a purpose other*

1 than those enumerated above, the contractor or subcontractor shall  
2 be liable ~~under~~ *for the penalties described in* subdivision (q).

3 (m) For purposes of this section, “electronic toll collection  
4 system” is a system where a transponder, camera-based vehicle  
5 identification system, or other electronic medium is used to deduct  
6 payment of a toll from a subscriber’s account or to establish an  
7 obligation to pay a toll, ~~including the proper toll amount~~, and  
8 “electronic transit fare collection system” means a system for  
9 issuing an electronic transit pass that enables a transit passenger  
10 subscriber to use the transit systems of one or more participating  
11 transit operators without having to pay individual fares, where  
12 fares are instead deducted from the subscriber’s account as loaded  
13 onto the electronic transit pass.

14 (n) For purposes of this section, “person” means any person  
15 who subscribes to an electronic toll collection or electronic transit  
16 fare collection system or any person who uses a toll bridge, toll  
17 lane, or toll road that employs an electronic toll collection system.

18 (o) For purposes of this section, “personally identifiable  
19 information” means any information that identifies or describes a  
20 person including, but not limited to, travel pattern data, address,  
21 telephone number, email address, license plate number, photograph,  
22 bank account information, or credit card number. For purposes of  
23 this section, with respect to electronic transit fare collection  
24 systems, “personally identifiable information” does not include  
25 photographic or video footage.

26 (p) For purposes of this section, “interoperability” means the  
27 sharing of data, including personally identifiable information,  
28 across multiple transportation agencies for the sole purpose of  
29 creating and operating an integrated transit fare payment system,  
30 integrated toll payment system, or both.

31 (q) (1) In addition to any other remedies provided by law, a  
32 person whose personally identifiable information has been  
33 knowingly sold or otherwise provided in violation of this section  
34 may bring an action to recover either actual damages or two  
35 thousand five hundred dollars (\$2,500) for each individual  
36 violation, whichever is greater, and may also recover reasonable  
37 costs and attorney’s fees.

38 (2) A person whose personally identifiable information has been  
39 knowingly sold or otherwise provided three or more times in  
40 violation of this section may bring an action to recover either actual

1 damages or four thousand dollars (\$4,000) for each individual  
2 violation, whichever is greater, and may also recover reasonable  
3 costs and attorney's fees.

4 (r) Nothing in this section shall preclude compliance with a  
5 court order or settlement agreement that has been approved on or  
6 before April 25, 2010.

7 (s) A transportation agency that employs an electronic toll  
8 collection or electronic transit fare collection system may impose  
9 an administrative fee on persons who use those systems in an  
10 amount sufficient to cover the cost of implementing this section.

11 ~~(t) Amendments made to subdivision (b) and the second sentence~~  
12 ~~of subdivision (i) by Senate Bill 664 of the 2019-20 Regular~~  
13 ~~Session are prospective only. All other amendments made to this~~  
14 ~~section by Senate Bill 664 of the 2019-20 Regular Session are~~  
15 ~~declarative of existing law.~~

16 SEC. 3. Section 23302.5 of the Vehicle Code is amended to  
17 read:

18 23302.5. (a) A person shall not evade or attempt to evade the  
19 payment of tolls or other charges on any vehicular crossing or toll  
20 highway.

21 (b) A violation of subdivision (a) is subject to civil penalties  
22 and is neither an infraction nor a public offense, as defined in  
23 Section 15 of the Penal Code. The enforcement of those civil  
24 penalties shall be governed by the civil administrative procedures  
25 set forth in Article 4 (commencing with Section 40250) of Chapter  
26 1 of Division 17. A notice of toll evasion issued in accordance  
27 with Section 40254 and pursuant to this section, Section 23302,  
28 or Section 40250 ~~shall is a civil violation~~ subject the registered  
29 owner to civil penalties.

30 ~~(c) Amendments made to this section by Senate Bill 664 of the~~  
31 ~~2019-20 Regular Session shall apply retroactively to January 1,~~  
32 ~~2011.~~

33 SEC. 4. ~~Section 40254 of the Vehicle Code is amended to read:~~

34 40254. (a) If a vehicle is found, by automated devices, visual  
35 observation, or otherwise, to have evaded tolls on a toll road or  
36 toll bridge, and subdivision (d) of Section 40250 does not apply,  
37 an issuing agency or a processing agency, as the case may be,  
38 shall, within 21 days of the violation, forward to the registered  
39 owner a notice of toll evasion violation setting forth the violation,  
40 including reference to the section violated, the approximate time

1 of the violation, and the location where the violation occurred. If  
2 accurate information concerning the identity and address of the  
3 registered owner is not available to the processing agency within  
4 21 days of the violation, the processing agency shall have an  
5 additional 45 calendar days to obtain such information and forward  
6 the notice of toll evasion violation. If the registered owner is a  
7 repeat violator, the processing agency shall forward the notice of  
8 toll evasion violation within 90 calendar days of the violation.  
9 “Repeat violator” means any registered owner for whom more  
10 than five violations have been issued pursuant to this section in  
11 any calendar month within the preceding 12-month period. The  
12 notice of toll evasion violation shall also set forth, if applicable,  
13 all of the following:

14 (1) The vehicle license plate number.

15 (2) If practicable, the registration expiration date and the make  
16 of the vehicle.

17 (3) If a vehicle is found, by automated devices, to have evaded  
18 the toll through failure to meet occupancy requirements, a copy  
19 of photographic evidence on which the determination was based.

20 (4) A clear and concise explanation of the procedures for  
21 contesting the violation and appealing an adverse decision pursuant  
22 to Sections 40255 and 40256.

23 (b) (1) After the authorized person has notified the processing  
24 agency of a toll evasion violation, the processing agency shall  
25 prepare and forward the notice of violation to the registered owner  
26 of the vehicle cited for the violation.

27 (2) On and after January 1, 2021, either of the following events  
28 shall constitute evidence of adequate delivery of notice:

29 (A) The notice of toll evasion is forwarded to the address  
30 provided by a state department of motor vehicles or any agency  
31 that functions in that role, as described in subparagraph (B) of  
32 paragraph (2) of subdivision (c) of Section 40250, or to an address  
33 provided by the National Change of Address System maintained  
34 by the United States Postal Service, and the notice is not returned  
35 as nondeliverable.

36 (B) If a notice of toll evasion sent pursuant to subparagraph (A)  
37 is returned as nondeliverable without a forwarding address and an  
38 issuing agency or processing agency intends to pursue a toll evasion  
39 penalty, an additional step is taken to identify a potential alternative  
40 address for purposes of sending the notice and the notice is



1 forwarded to that address. If the additional step is taken, which  
2 may include a commercially available skiptracing service, and the  
3 notice is forwarded pursuant to this subparagraph, the time period  
4 for the registered owner shall be reset based on the date of that  
5 forwarding.

6 (3) ~~A penalty for a toll evasion violation shall not be pursued~~  
7 ~~unless the notice of the violation has been forwarded as set forth~~  
8 ~~in this section.~~

9 (4) ~~Any person, including the authorized person and any member~~  
10 ~~of the person's department or agency, or any peace officer who,~~  
11 ~~with intent to prejudice, damage, or defraud, is found guilty of~~  
12 ~~altering, concealing, modifying, nullifying, or destroying, or~~  
13 ~~causing to be altered, concealed, modified, nullified, or destroyed,~~  
14 ~~the face of the original or any copy of a notice that was retained~~  
15 ~~by the authorized person before it is filed with the processing~~  
16 ~~agency or with a person authorized to receive the deposit of the~~  
17 ~~toll evasion violation is guilty of a misdemeanor.~~

18 (e) ~~If, after a copy of the notice of toll evasion violation has~~  
19 ~~been sent to the registered owner, the issuing person determines~~  
20 ~~that, due to a failure of proof of apparent violation, the notice of~~  
21 ~~toll evasion violation should be dismissed, the issuing agency may~~  
22 ~~recommend, in writing, that the charges be dismissed. The~~  
23 ~~recommendation shall cite the reasons for the recommendation~~  
24 ~~and shall be filed with the processing agency.~~

25 (d) ~~If the processing agency makes a finding that there are~~  
26 ~~grounds for dismissal, the notice of toll evasion violation shall be~~  
27 ~~canceled pursuant to Section 40255.~~

28 (e) ~~Under no circumstances shall a personal relationship with~~  
29 ~~any law enforcement officer, public official, law enforcement~~  
30 ~~agency, processing agency, or toll operating agency or entity be~~  
31 ~~grounds for dismissal of the violation.~~

32 (f) ~~The processing agency shall use its best efforts to obtain~~  
33 ~~accurate information concerning the identity and address of the~~  
34 ~~registered owner for the purpose of forwarding a notice of toll~~  
35 ~~evasion violation pursuant to subdivision (a) and may use any~~  
36 ~~reliable source to obtain the information. Notwithstanding the~~  
37 ~~foregoing sentence, complying with subdivision (b) shall constitute~~  
38 ~~prima facie evidence of best efforts.~~

39 *SEC. 4. Section 40254 of the Vehicle Code is amended to read:*

1 40254. (a) If a vehicle is found, by automated devices, visual  
2 observation, or otherwise, to have evaded tolls on a toll road or  
3 toll bridge, and subdivision (d) of Section 40250 does not apply,  
4 an issuing agency or a processing agency, as the case may be,  
5 shall, within 21 days of the violation, forward to the registered  
6 owner a notice of toll evasion violation setting forth the violation,  
7 including reference to the section violated, the approximate time  
8 ~~thereof~~, *of the violation*, and the location where the violation  
9 occurred. If accurate information concerning the identity and  
10 address of the registered owner is not available to the processing  
11 agency within 21 days of the violation, the processing agency shall  
12 have an additional 45 calendar days to obtain such information  
13 and forward the notice of toll evasion violation. If the registered  
14 owner is a repeat violator, the processing agency shall forward the  
15 notice of toll evasion violation within 90 calendar days of the  
16 violation. "Repeat violator" means any registered owner for whom  
17 more than five violations have been issued pursuant to this section  
18 in any calendar month within the preceding 12-month period. The  
19 notice of toll evasion violation shall also set forth, if applicable,  
20 all of the following:

- 21 (1) The vehicle license plate number.
- 22 (2) If practicable, the registration expiration date and the make  
23 of the vehicle.
- 24 (3) If a vehicle is found, by automated devices, to have evaded  
25 the toll through failure to meet occupancy requirements in a  
26 high-occupancy toll lane, a copy of photographic evidence on  
27 which the determination was based.
- 28 (4) A clear and concise explanation of the procedures for  
29 contesting the violation and appealing an adverse decision pursuant  
30 to Sections 40255 and 40256.

31 (b) After the authorized person has notified the processing  
32 agency of a toll evasion violation, the processing agency shall  
33 prepare and forward the notice of violation to the registered owner  
34 of the vehicle cited for the violation. Any person, including the  
35 authorized person and any member of the person's department or  
36 agency, or any peace officer who, with intent to prejudice, damage,  
37 or defraud, is found guilty of altering, concealing, modifying,  
38 nullifying, or destroying, or causing to be altered, concealed,  
39 modified, nullified, or destroyed, the face of the original or any  
40 copy of a notice that was retained by the authorized person before

1 it is filed with the processing agency or with a person authorized  
2 to receive the deposit of the toll evasion violation is guilty of a  
3 misdemeanor.

4 (c) If, after a copy of the notice of toll evasion violation has  
5 been sent to the registered owner, the issuing person determines  
6 that, due to a failure of proof of apparent violation, the notice of  
7 toll evasion violation should be dismissed, the issuing agency may  
8 recommend, in writing, that the charges be dismissed. The  
9 recommendation shall cite the reasons for the recommendation  
10 and shall be filed with the processing agency.

11 (d) If the processing agency makes a finding that there are  
12 grounds for dismissal, the notice of toll evasion violation shall be  
13 canceled pursuant to Section 40255.

14 (e) ~~Under no circumstances shall a~~ A personal relationship with  
15 any law enforcement officer, public official, law enforcement  
16 agency, processing agency, or toll operating agency or  
17 entity *shall not* be grounds for dismissal of the violation.

18 (f) The processing agency shall use its best efforts to obtain  
19 accurate information concerning the identity and address of the  
20 registered owner for the purpose of forwarding a notice of toll  
21 evasion violation pursuant to subdivision ~~(a)~~. *(a) and may use any*  
22 *reliable source to obtain the information. Notwithstanding the*  
23 *foregoing sentence, complying with subdivision (b) shall constitute*  
24 *best efforts.*

25 (g) *This section shall remain in effect only until January 1, 2021,*  
26 *and as of that date is repealed.*

27 SEC. 5. Section 40254 is added to the Vehicle Code, to read:

28 40254. (a) *If a vehicle is found, by automated devices, visual*  
29 *observation, or otherwise, to have failed to pay or evaded tolls on*  
30 *a toll road, toll lane, or toll bridge, and subdivision (d) of Section*  
31 *40250 does not apply, an issuing agency or a processing agency,*  
32 *as the case may be, shall, within 21 days of the violation, forward*  
33 *to the registered owner a notice of toll evasion violation setting*  
34 *forth the violation, including reference to the section violated, the*  
35 *approximate time of the violation, and the location where the*  
36 *violation occurred. If the processing agency is unable to obtain*  
37 *accurate information concerning the identity and address of the*  
38 *registered owner within 21 days of the violation, the processing*  
39 *agency shall have an additional 45 calendar days to obtain that*  
40 *information and forward the notice of toll evasion violation. If the*

1 toll and penalty are paid in full within 30 calendar days of the  
2 date on the corresponding notice of toll evasion violation, the  
3 penalty for the first three toll violations sent to a registered owner  
4 shall not exceed fifteen dollars (\$15) per violation. If not paid in  
5 full within 30 calendar days of the date on the corresponding notice  
6 of toll evasion violation, the penalty associated with that unpaid  
7 toll violation may be escalated to the limits established by  
8 subdivision (a) of Section 40258. A fourth, and any subsequent,  
9 toll evasion violation sent to the registered owner shall only be  
10 subject to the limits established by subdivision (a) of Section 40258.  
11 If the registered owner is a repeat violator, the processing agency  
12 shall forward the notice of toll evasion violation within 90 calendar  
13 days of the violation. For purposes of this subdivision, “repeat  
14 violator” means any registered owner for whom more than five  
15 violations have been issued pursuant to this section in any calendar  
16 month within the preceding 12-month period. The notice of toll  
17 evasion violation shall also set forth, if applicable, all of the  
18 following:

- 19 (1) The vehicle license plate number.
- 20 (2) If practicable, the registration expiration date and the make  
21 of the vehicle.
- 22 (3) If a vehicle is found, by automated devices, to have evaded  
23 the toll through failure to meet occupancy requirements, a copy  
24 of photographic evidence on which the determination was based.
- 25 (4) A clear and concise explanation of the procedures for  
26 contesting the violation and appealing an adverse decision  
27 pursuant to Sections 40255 and 40256.
- 28 (5) A phone number an individual may call to pay the applicable  
29 toll and penalty.
- 30 (6) The outside of the envelope shall include the following  
31 statement in at least 12-point type: “WARNING: THIS ENVELOPE  
32 CONTAINS A NOTICE OF TOLL EVASION VIOLATION.”
- 33 (b) (1) After an authorized person has notified the processing  
34 agency of a toll evasion violation, the processing agency shall  
35 prepare and forward the notice of toll evasion violation to the  
36 registered owner of the vehicle cited for the violation.
- 37 (2) The following events shall constitute delivery of notice:  
38 (A) The notice of toll evasion violation is forwarded to an  
39 address provided by a state department of motor vehicles or any  
40 agency that functions in that role, as described in subparagraph

1 (B) of paragraph (2) of subdivision (e) of Section 40250, or to an  
2 address provided by the National Change of Address System  
3 maintained by the United States Postal Service, and the notice is  
4 not returned as nondeliverable. If the notice of toll evasion  
5 violation sent pursuant to this subparagraph is returned as  
6 nondeliverable with a forwarding address, sending the notice to  
7 the forwarding address shall constitute delivery of notice.

8 (B) If a notice of toll evasion violation sent pursuant to  
9 subparagraph (A) is returned as nondeliverable without a  
10 forwarding address and an issuing agency or processing agency  
11 intends to pursue a toll evasion penalty, an additional step shall  
12 be taken, which may include checking the National Change of  
13 Address System maintained by the United States Postal Service or  
14 using a commercially available skip tracing service, to attempt to  
15 identify a potential alternative address for purposes of sending  
16 the notice. If no potential alternative address is identified, no  
17 further additional steps are required to satisfy this subparagraph.

18 (C) If either a notice of toll evasion violation sent pursuant to  
19 subparagraph (A) is returned as nondeliverable with a forwarding  
20 address or a potential alternative address is identified pursuant  
21 to subparagraph (B), then, before the issuing agency or processing  
22 agency may pursue a toll evasion penalty, the notice shall be  
23 forwarded to the forwarding or potential alternative address. If  
24 the notice is forwarded to a forwarding or potential alternative  
25 address pursuant to this subparagraph, the time period for the  
26 registered owner to comply with the notice shall be reset based  
27 on the date of that forwarding.

28 (3) A penalty for a toll evasion violation shall not be pursued  
29 unless the requirements of paragraph (2) have been complied with.

30 (4) Any person, including the authorized person and any member  
31 of the person's department or agency, or any peace officer who,  
32 with intent to prejudice, damage, or defraud, is found guilty of  
33 altering, concealing, modifying, nullifying, or destroying, or  
34 causing to be altered, concealed, modified, nullified, or destroyed,  
35 the face of the original or any copy of a notice that was retained  
36 by the authorized person before it is filed with the processing  
37 agency or with a person authorized to receive the deposit of the  
38 toll evasion violation is guilty of a misdemeanor.

39 (c) If, after a copy of the notice of toll evasion violation has  
40 been sent to the registered owner, the issuing person determines

1 *that, due to a failure of proof of apparent violation, the notice of*  
2 *toll evasion violation should be dismissed, the issuing agency may*  
3 *recommend, in writing, that the charges be dismissed. The*  
4 *recommendation shall cite the reasons for the recommendation*  
5 *and shall be filed with the processing agency.*

6 *(d) If the processing agency makes a finding that there are*  
7 *grounds for dismissal, the notice of toll evasion violation shall be*  
8 *canceled pursuant to Section 40255.*

9 *(e) A personal relationship with any law enforcement officer,*  
10 *public official, law enforcement agency, processing agency, or*  
11 *toll operating agency or entity shall not be grounds for dismissal*  
12 *of the violation.*

13 *(f) The processing agency shall use its best efforts to obtain*  
14 *accurate information concerning the identity and address of the*  
15 *registered owner for the purpose of forwarding a notice of toll*  
16 *evasion violation pursuant to subdivision (a) and may use any*  
17 *reliable source to obtain the information. Notwithstanding the*  
18 *foregoing sentence, complying with subdivision (b) shall constitute*  
19 *best efforts.*

20 *(g) This section shall become operative on January 1, 2021.*

21 *SEC. 6. Section 40267 of the Vehicle Code is amended to read:*

22 *40267. Except as otherwise provided in Sections 40268 and*  
23 *40269, the processing agency shall proceed under one or more of*  
24 *the following options to collect an unpaid toll evasion penalty:*

25 *(a) The processing agency may file an itemization of unpaid*  
26 *toll evasion penalties and administrative and service fees with the*  
27 *department for collection with the registration of the vehicle*  
28 *pursuant to Section 4770.*

29 *(b) (1) If more than four hundred dollars (\$400) in unpaid*  
30 *penalties and fees have been accrued by a person or registered*  
31 *owner, the processing agency may file proof of that fact with the*  
32 *court with the same effect as a civil judgment. Execution may be*  
33 *levied and other measures may be taken for the collection of the*  
34 *judgment as are authorized for the collection of an unpaid civil*  
35 *judgment entered against a defendant in an action on a debt. The*  
36 *court may assess costs against a judgment debtor to be paid upon*  
37 *satisfaction of the judgment. The processing agency shall send a*  
38 *notice by first-class mail to the person or registered owner*  
39 *indicating that a judgment shall be entered for the unpaid penalties,*  
40 *fees, and costs and that, after 30 days from the date of the mailing*

1 of the notice, the judgment shall have the same effect as an entry  
 2 of judgment against a judgment debtor. *Before the foregoing notice*  
 3 *is sent, the processing agency or its designee shall attempt to*  
 4 *identify a potential alternative address by taking an additional*  
 5 *step, which may include a check of the National Change of Address*  
 6 *System maintained by the United States Postal Service or the use*  
 7 *of a commercially available skip tracing service. If a potential*  
 8 *alternative address is identified, the notice shall be sent to the*  
 9 *potential alternative address. If a potential alternative address is*  
 10 *not identified, the notice shall be sent to the address on file. The*  
 11 *person or registered owner shall also be notified at that time that*  
 12 *execution may be levied against his or her their assets, liens may*  
 13 *be placed against his or her their property, his or her their wages*  
 14 *may be garnished, and other steps may be taken to satisfy the*  
 15 *judgment. The filing fee plus any costs of collection shall be added*  
 16 *to the judgment amount.*

17 (2) Notwithstanding any other ~~provision of law~~, the processing  
 18 agency shall pay the established first paper civil filing fee, if  
 19 required by law, at the time an entry of civil judgment is requested.

20 (c) If the registration of the vehicle has not been renewed for  
 21 60 days beyond the renewal date, and the notice has not been  
 22 collected by the department pursuant to Section 4770, the  
 23 processing agency may file proof of unpaid penalties and fees with  
 24 the court with the same effect as a civil judgment as provided in  
 25 subdivision (b), except that if the amount of the unpaid penalties  
 26 and fees is not more than four hundred dollars (\$400), the filing  
 27 fee shall be collectible by the court from the debtor.

28 (d) The issuing agency may contract with a collection agency  
 29 to collect unpaid toll evasion penalties, fees, and charges. *Before*  
 30 *the collection agency sends out any debt collection notice an*  
 31 *additional step shall be taken, which may include a check of the*  
 32 *National Change of Address System maintained by the United*  
 33 *States Postal Service or the use of a commercially available skip*  
 34 *tracing service, to attempt to identify a potential alternative*  
 35 *address. If a potential alternative address is identified, the notice*  
 36 *shall be sent to the potential alternative address. If a potential*  
 37 *alternative address is not identified, the notice shall be sent to the*  
 38 *address on file. The issuing agency and collection agency shall*  
 39 *not contract with a towing company to tow a vehicle for unpaid*  
 40 *toll evasion penalties, fees, or charges.*

1 (e) This section does not apply to the registered owner of a  
2 vehicle if the toll evasion violation occurred ~~prior to~~ *before* the  
3 registered owner taking possession of the vehicle and the  
4 department has notified the processing agency pursuant to Section  
5 4774.

6 *SEC. 7. (a) The amendment of Section 27565 of the Streets*  
7 *and Highways Code made by this act does not constitute a change*  
8 *in, but is declaratory of, existing law.*

9 *(b) Except for the amendments of subdivision (b), the second*  
10 *sentence of subdivision (i), the second and third sentences of*  
11 *subdivision (j), and the fourth sentence of subdivision (l), of Section*  
12 *31490 of the Streets and Highways Code, the amendment of Section*  
13 *31490 of the Streets and Highways Code made by this act does*  
14 *not constitute a change in, but is declaratory of, existing law.*

15 *(c) The amendment of Section 23302.5 of the Vehicle Code made*  
16 *by this act does not constitute a change in, but is declaratory of,*  
17 *existing law.*

O



DATE: November 21, 2019

TO: Transportation Committee

FROM: Marisa Creter, Executive Director

RE: **SAN GABRIEL VALLEY GREENWAY NETWORK IMPLEMENTATION PLAN**

## **RECOMMENDED ACTION**

For information only.

## **ABOUT LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS**

The Los Angeles County Department of Public Works is one of the 37 departments within the County of Los Angeles. The department focuses on designing, building, and maintaining transportation and flood control infrastructure and providing municipal services to unincorporated areas in Los Angeles County. These services include building and safety, waste management, sewer maintenance, traffic signals, and street lighting. The department has an annual budget of \$2.7 billion and is currently funded by restricted revenues, such as gas excise and sales tax, benefit assessment, water and sewer sales, user fees, and contract cities revenues.

## **BACKGROUND**

The San Gabriel Valley includes various storm channels, washes, and creeks that feed into the San Gabriel and Rio Hondo Rivers. Flanked by gravel service roads, most of these tributaries can be suited for Class I Multi-Use Bicycle and Pedestrian Paths. This presents an exciting opportunity to develop a regional network of protected bicycle and pedestrian infrastructure.

The San Gabriel Valley Network Strategic Implementation Plan builds upon the ongoing SGVCOG active transportation planning initiative, known as the Greenway Feasibility Study. The goal of the plan is to transform existing Los Angeles County Flood Control District (LACFCD) right-of-way into a world-class greenway network.


The plan is currently being developed by a project management team consisting of representatives from the Los Angeles County Department of Public Works, Los Angeles County Department of Parks and Recreation, and Watershed Conservation Authority as well as consultants from Brown and Caldwell. The project management team will receive guidance from a steering committee and technical advisory committee. A map and table showcasing the plan's early implementation projects can be found in Attachments A and B, respectively.


The timeline for developing the San Gabriel Valley Network Strategic Implementation Plan is as follows:

- August 2019: Kickoff Meeting

- Fall 2019: Data Research/Database Development
- Fall 2019: Technical Advisory Committee and Steering Committee Meetings Begin
- Summer 2021: Completion of Greenway Network Plan Development and Public Outreach
- Summer 2022: Completion of Environmental Documentation

Los Angeles County Department of Public Works Senior Civil Engineer, Julian Juarez, will provide a brief presentation at this meeting. Questions and inquiries can be directed to Mr. Juarez at [jjuaraz@dpw.lacounty.gov](mailto:jjuaraz@dpw.lacounty.gov) or (626) 458-7149.

Prepared by:   
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Approved by:   
Marisa Creter  
Executive Director

## **ATTACHMENTS**

Attachment A – Map of Early Implementation Projects

Attachment B – Current Status of Early Implementation Projects





### CURRENT STATUS OF EARLY IMPLEMENTATION PROJECTS

Project	Description	Planning Document	Status	Lead	Jurisdiction
San Dimas Wash Bikeway Phase I	1-mile bike trail along the San Dimas wash from Sunflower Ave. to Forbes Spreading Grounds.	Glendora Masterplan	Complete	Glendora	Glendora
San Gabriel River/Walnut Creek – Bikeway	2.2 mile bicycle path from Ramona Blvd. to Baldwin Avenue along the San Gabriel River and continuing along the Walnut Creek.	San Gabriel Valley Regional Bicycle Master Plan	Permitting	Baldwin Park	Baldwin Park
Santa Anita Wash Multi-Use Trail Project	0.4 mile multi-use trail along Santa Anita Wash near the Arcadia Par 3 Golf Course.	Emerald Necklace Vision Plan/ Arcadia CIP	Permitting	Arcadia/DPR	Arcadia
Emerald Necklace Rio Hondo Phase 2	1.2 mile pedestrian trail and landscape improvements with ADA access and decorative gates.	Emerald Necklace	Permitting	Amigos de Los Rios	El Monte
San Dimas Wash Bikeway Phase II	0.75 mile bike trail along the San Dimas Wash from Juanita Ave. to Gladstone St.	Glendora Masterplan	Design	Glendora	Glendora
San Dimas Wash Bikeway Phase III	1 mile bike trail along the San Dimas Wash from Grand Ave. to Juanita Ave.	Glendora Masterplan	Design	Glendora	Glendora
Eaton Wash Phase I	0.4 mile Bicycle Path between Longden Ave. and Rosemead Blvd.	2012 Bicycle Master Plan	Design	TPP	Temple City, San Gabriel, and unincorporated County
Puente Creek Bikeway/Greenway	1.9 mile Bikeway and Greenway between Valinda Avenue and Hacienda Boulevard.	2012 Bicycle Master Plan	Design	TPP/SWPF	La Puente, Industry, and unincorporated Valinda
Vincent Community Bikeways	3.14 miles bikeway and greenway along Big Dalton Wash between Irwindale Ave. and Lark Ellen Ave. and between Arrow Hwy and Citrus Ave.	Vincent Community Bikeway	Design	TPP/SWPD	Azusa, Irwindale, West Covina, and unincorporated Vincent
San Gabriel Valley Four Corners Bike Path Gap Closure-San Jose Creek (Emerald Necklace-Project 10)	Half-mile bicycle, pedestrian, and equestrian gap closure including two bridge structures over the SGR and San Jose Creek.	Emerald Necklace & SGR Master Plan	Planning	TPP	Unincorporated County, Industry, South El Monte, El Monte, U.S. Army Corps of Engineers
Eaton Wash Phase II	1 mile bikeway and greenway between Huntington Dr. and Longden Ave.	2012 Bicycle Master Plan	Planning	TPP/SWPD	Unincorporated San Gabriel

<b>Emerald Necklace San Gabriel River Tree Canopy Project</b>	Removal of invasive species, planting of 700 native and drought-tolerant trees and 4,000 native shrubs and grass that enhance existing bike trails and stormwater management through the construction of bioswales along 5.86 miles of the San Gabriel River between Live Oak Ave. and Thienes Ave.	Emerald Necklace	Planning	Amigos de Los Rios	Irwindale, El Monte, and Baldwin Park
<b>San Jose Creek Bikeway</b>	3.3 mile Bicycle Path within City of Pomona limits between 7th Avenue to Murchison Avenue.	2012 Bicycle Master Plan & SGR Master Plan	Planning	Pomona	Industry, Pomona, and Unincorporated Hacienda Heights, Rowland Heights, and Walnut.