

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 08/07/2012
POSITION: Neutral

BILL NUMBER: AB 2245
AUTHOR: Smyth, Cameron

BILL SUMMARY: California Environmental Quality Act: Exemptions for Bicycle Lanes

This bill would, until January 1, 2018, exempt the restriping of streets and highways for bicycle lanes in an urbanized area that is consistent with a bicycle transportation plan, from the California Environmental Quality Act (CEQA).

FISCAL SUMMARY

According to the Department of Transportation (Caltrans), there would be no fiscal impact from this bill provided its provisions would apply exclusively to local projects. In the event a local government would undertake, under this proposed exemption, a project that would impact the State Highway System, Caltrans as lead agency under CEQA could incur costs in resolving any conflicts that might emerge between Caltrans and the local government or with outside interest groups. Caltrans is unable to estimate such potential costs at this time.

COMMENTS

This bill would have no state fiscal impact and concerns a policy matter on which we are neutral.

Existing law charges a Lead Agency under CEQA, with the principal responsibility of preparing various environmental reports for a project, unless that project is exempt from CEQA.

Existing law defines bikeways as follows: (1) Class I bikeway, such as a "bike path," with a completely separated right-of-way for the exclusive use of bicycles and pedestrians with motorist cross-flows minimized; (2) Class II bikeway, such as a "bike lane," that provides a restricted Right of Way (ROW) for exclusive or semi-exclusive bicycle use with through travel by motor vehicles or pedestrians prohibited but with cross-flows permitted; and (3) Class III bikeway, such as an on-street or off-street "bike route," that provides a ROW designated by signs or markings and shared with pedestrians or motorists.

This bill would exempt Class II Bikeway projects from CEQA requirements. In addition, this bill would require a city and/or county, upon making a determination that a project was exempt under its provisions, to prepare an assessment of any traffic and safety impacts of the proposed project, hold a public hearing to review those impacts, and hear and respond to public comments.

The Department of Finance notes that by exempting Class II bikeway projects, this bill would circumvent the benefits of a CEQA environmental review.

Analyst/Principal (0752) M.Almy	Date	Program Budget Manager Kristin Shelton	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)

AUTHOR

AMENDMENT DATE

BILL NUMBER

Smyth, Cameron

08/07/2012

AB 2245

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code
	LA	(Dollars in Thousands)					
	CO	PROP					
	RV	98	FC	2012-2013 FC	2013-2014 FC	2014-2015	
2660/Caltrans	SO	No		-----	See Fiscal Summary	-----	0042
<u>Fund Code</u>	<u>Title</u>						
0042	Highway Account, State, STF						