

June 16, 2020

The Honorable Peter A. DeFazio, Chair
Committee on Transportation and Infrastructure
United States House of Representatives
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable Sam Graves, Ranking Member
Committee on Transportation and Infrastructure
United States House of Representatives
2164 Rayburn House Office Building
Washington, DC 20515

Dear Chairman DeFazio and Ranking Member Graves,

On behalf of the members of the California Transit Association, I write to you today to express our support for the “Investing in a New Vision for the Environment and Surface Transportation in America Act” (INVEST in America Act).

The INVEST in America Act establishes a bold vision for the country’s surface transportation network that is furthered, in part, by an unprecedented level of federal investment in public transportation. The \$165 billion the bill would invest in public transportation and rail systems over the next five years is a welcome supplement to the investments made by the State of California to bring public transportation and rail assets into a state of good repair and to expand access to affordable, frequent and efficient transit service.

We are heartened to see that the bill would provide \$5.8 billion in Fiscal Year 2021 to address the immediate funding needs of transit agencies grappling with the financial and operational impacts of the COVID-19 pandemic. This funding, which augments the \$25 billion in emergency funding already provided to transit agencies through the Coronavirus Aid, Relief and Economic Security (CARES) Act, is necessary to help address the **\$3.1 billion** in funding needs that remain at California transit agencies after fully accounting for the CARES Act and would prevent avoidable cuts to transit service.

Additionally, we appreciate that the bill proposes a series of programmatic changes to various discretionary grant and financing programs, designed to better leverage federal investments and deliver on progressive policy objectives. We continue to review these programmatic changes with our members and hope to engage with you more fully on them as the bill moves through the legislative process. With that said, we want to provide immediate feedback on proposed changes to the Low or No Emission Vehicle Grant (Low-No) program (Section 2403), given California’s leadership in zero-emission bus deployments and the recent adoption of the Innovative Clean Transit regulation by the California Air Resources Board. The regulation requires all transit agencies in California to begin to purchase zero-emission buses, as soon as 2023, and requires all transit buses in California to be zero-emission by 2040.

To start, we strongly support the higher funding levels proposed for zero-emission bus grants when coupled with several of the proposed programmatic changes, as the historic Low-No program is continually oversubscribed and demand for zero-emission buses is only expected to grow as more transit agencies commit to full conversion to zero-emission technologies. As an Association, we support the proposal to limit investments from the program to zero-emission buses, inclusive of battery electric and hydrogen fuel cell technologies, and will recall for the committee that we long-called for state and federal programs to focus their investments in zero-emission buses on mid-to-large scale deployments, as they provide transit agencies with better insight into the operational limitations of zero-emission buses than do deployments of single buses, can reveal unforeseen challenges with infrastructure buildout, and require transit agencies to proactively plan for full fleet conversion. We, therefore, support the proposed changes to the program that would establish minimum deployment requirements for small and large transit agencies to take receipt of a zero-emission bus grant.

We know that, should the higher funding levels be approved by Congress, California transit agencies will vie for these dollars to facilitate implementation of the ICT regulation. Given our existing leadership in deploying zero-emission buses, we urge Congress to view California transit agencies as key to advancing zero-emission bus technology, developing the supply chains to support zero-emission bus manufacturing, and creating industry best practices that will support the nation's eventual transition to these technologies.

To allow California to continue its leadership on zero-emission bus technologies to the benefit of the nation's transit industry, we ask that you consider the following amendments to Section 2403 of the bill:

- **Expand the list of “eligible areas” to includes states that require their local transit agencies by law or regulation to convert to zero-emission buses.**

This change, which is consistent with amendments being pursue by Congresswoman Julia Brownley (CA-26), would reward California – and any other state that adopts a regulation requiring conversion to zero-emission buses – for their commitment to deploying zero-emission buses by making all transit agencies in the state eligible for funding from the program, regardless of whether they are in a non-attainment or maintenance area.

- **Create an alternative eligibility path for “a recipient that is required by state law or regulation to convert their entire bus fleet to zero-emission buses by 2040 and which is required by the state law or regulation to develop a fleet transition study by 2023.”**

This change would acknowledge that California's ICT regulation advances a complete and coherent strategy for deploying zero-emission buses and achieving full conversion to zero-emission technologies. As such, its provisions, which include the requirement that all transit agencies submit “rollout plans,” approved by their governing body by 2023, should be held harmless by the eligibility requirements of the program.

For background, the rollout plans required by the ICT regulation must include: a goal of full transition to zero-emission buses by 2040; identification of the types of zero-emission bus technologies a transit agency is planning to deploy; a schedule for construction of facilities and infrastructure modifications or upgrades; a description on how a transit agency plans to deploy zero-emission buses in disadvantaged communities; a training plan and schedule for zero-

emission bus operators and maintenance and repair staff; and, identification of potential funding sources.

These requirements are consistent with Congress's intent of ensuring that investments made by the program are well-considered and lead to a methodical deployment of zero-emission buses.

Again, we thank you for your leadership in proposing the INVEST in America Act. We look forward to continuing to engage with you on this bill as it moves through the legislative process. If you have any questions regarding the amendments we are proposing, please contact me at 323-594-6342 or via email at michael@caltransit.org.

Sincerely,

A handwritten signature in black ink that reads "Michael Pimentel". The signature is written in a cursive, flowing style.

Michael Pimentel
Deputy Executive Director

cc: The Honorable Nancy Pelosi, Speaker, United States House of Representatives
California's Congressional Delegation