

2026 San Francisco Bay Area Regional Transportation Revenue Measure

Local Agency “Do’s and Don’ts”



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2026 Revenue Measure

- SB 63 authorizes a retail transactions and use tax to be imposed by a qualified voter initiative, subject to voter approval at the November 3, 2026 statewide general election.
- Tax revenues would be allocated to public transit operations expenses and other public transit purposes.



Livermore Amador Valley
TRANSIT AUTHORITY





General Rule

Campaign and Political Activities

- **Can't** use agency resources to advocate or campaign for local ballot measure
- **Can** use agency resources to provide informational/educational materials that are neutral and balanced in timing, tenor and tone

Public officials and staff can campaign only on their own time and own dime!





2026 Revenue Measure

- Connect Bay Area committee has filed papers indicating intent to circulate petition for signatures to place measure on ballot
- **Restrictions are in effect now**





Prohibited Activities

- **No** using public funds/resources for campaigning, including to gather signatures for placing measure on the ballot
 - “Resources” includes time, means of communication (e.g., Agency phone, phone number, email, website)
 - No traditional campaign expenditures like lawn signs, bumper stickers, billboards
- **No** using public funds/resources encouraging voting for or otherwise supporting measure
- **No** solicitation of officers or employees for political contributions or actions
- **Risks:** FPPC investigations and fines, lawsuits, bad press
- **Penalties:** civil, criminal



What *Can* the Agency do?

Without expressing/urging support for or opposition to measure:

- Conduct public outreach, discuss, and adopt a local funding plan for potential uses of revenues from measure
- Use informational/educational language to communicate or gather input on potential impacts
- Inform/Educate, answer questions about:
 - An adopted local funding plan
 - Expected impacts of a successful or unsuccessful measure
- Use forms of communication that are typical for the Agency e.g., press releases, social media



What *Can* the Agency do?

Without expressing/urging support for or opposition to measure:

- Take a formal position on measure (which is *not* a license to advocate)
 - Present proposed position in open, public meeting
 - With all sides able to present input
 - Using simple, measured, informative language
 - Representing Agency's own position; not directing anyone on how to act in response to a petition or vote
- Inform/Educate about formal position taken by the Agency





What *Can* You Do, Personally?

- On your own time (nights/weekends/PTO): Campaign or advocate for or against the measure (only using non-governmental resources)
- When campaigning/advocating on your own time (and when using non-governmental resources like your own phone/Facebook page): It's OK to identify yourself as an Agency Director/staff *if* you make clear you aren't speaking on behalf of the Agency
- At your own home (not your office) / on your own car (not an Agency vehicle): put out lawn signs, use bumper stickers



Questions?

