

**Board Report**

File #: 2018-0135, **File Type:** Motion / Motion Response**Agenda Number:** 20.

**PLANNING AND PROGRAMMING COMMITTEE
MAY 16, 2018****SUBJECT: TRANSPORTATION DEMAND MANAGEMENT****ACTION: RECEIVE AND FILE****RECOMMENDATION**

RECEIVE AND FILE response to Motion 36 approved at the October 2017 Board Meeting.

ISSUE

In October 2017 the Board approved Motion 36, directing staff to develop a Transportation Demand Management (TDM) action plan around several elements. Given the comprehensive nature of the task, and appreciating the complexity of existing TDM planning and regulatory environment, staff prepared an assessment of current conditions as a baseline for developing recommendations that respond to the Motion's specific directives.

That Phase One analysis was presented as a Board Box and sent to Board members on March 7, 2018. It is referenced throughout this report, and can be accessed at http://boardarchives.metro.net/BoardBox/2018/180307_Transportation_Demand_Management_Paratory_Motion_36_Response.pdf. The original Motion is included as Attachment A. This Board Report represents the second phase response to the Board Motion, and addresses the elements of Motion 36.

DISCUSSION**Structure of this report: Relationship to Phase One**

The Phase One assessment provided a detailed inventory of current Metro activities in the area of TDM. Primarily, it clarified Metro's roles and responsibilities with those of local jurisdictions, South Coast Air Quality Management District (SCAQMD), Southern California Association of Governments (SCAG), and public and private sector employers - an important step given TDM's multi-sectoral nature and dispersed authorities. Distinctions among existing authorities were mapped, as well as an understanding of both long imposed and relatively new statutory requirements that generate TDM-related actions today. Motivating this background analysis was the need to identify the many factors impacting the Motion's directive subsection (C) to "Recommend how MTA can establish a robust and comprehensive countywide TDM program, including but not limited to:

1. Countywide TDM guidelines to help municipalities create and implement TDM policies by establishing best practices for TDM application, monitoring, and evaluation, and allowing for flexibility to innovate beyond countywide standards;
2. Countywide TDM marketing, outreach, and engagement campaign that targets potential users through a compelling and recognizable brand available to local cities and jurisdictions to promote multi-modal travel choices such as transit, vanpooling, carpooling, walking, and bicycling;
3. Facilitating regular discussions between Transportation Management Organizations in the region to coordinate countywide and local TDM ordinance implementation activities and share best practices;
4. Working with major trip generators, major employers, and business community representatives to develop and implement tax incentives and other state legislation necessary for MTA to effectively promote and coordinate TDM strategies in Los Angeles County;
5. Expanding U-Pass, the Employer Annual Pass Program (EAPP), the Bikeshare for Business Program, and other TAP purchase programs to allow Transportation Management Organizations (TMOs), telework centers, tourism organizations, residential and other non-employer entities to purchase bulk-rate transit and bike share passes;
6. Strategies to promote telecommuting;
7. Establishing a Countywide Commuter Tax Benefit Ordinance to provide incentives for non-single occupancy vehicle travel;
 - a. Seeking legislation to enable Los Angeles County to implement the nation's most aggressive commuter tax benefits program to reimburse and credit the cost of sustainable transportation options. This legislation should explore ways to provide significant tax-credit benefits for the use of transit, vanpooling, bicycling, and all other sustainable transportation modes;
 - b. Should legislation be successfully secured, a first priority for resources created by this program would be the establishment of an MTA TDM Implementation Demonstration Program. The TDM Demonstration Program would target selected jurisdictions for early implementation of best-practice TDM strategies, along with appropriate financial incentives. MTA may give special priority to any multi-jurisdictional TDM program proposal.
8. Managing compliance with the State of California's Parking Cash-Out law for worksites within Los Angeles County;
9. Considering consolidation of MTA's various TDM functions into a single group and/or creating a Countywide TDM Coordinator position tasked with coordinating MTA's TDM efforts, including identifying additional staffing needs."

The resultant Phase One analysis outlined several questions that would bear on any considerations for pursuing a more coordinated countywide TDM approach, beginning with an assessment of what gaps exist with the current status quo. Future outcomes could stretch along a broad continuum, ranging from:

- Encouraging local agencies and employers to do a better job by providing examples of TDM practices to pursue voluntary adoption and implementation, to
- Markedly changing the status quo through new legislative regulations and/or substantial financial incentives well beyond current circumstances.

Considering where to land on this continuum would be important for prioritizing actions going forward, and hinge largely on not only Metro's interests, but our partners throughout the County and its multiple cities.

The Phase Two response to Motion keeps this overarching consideration in mind in addressing the motion's elements and attendant recommended next actions, and organizes Motion 36 elements (A) through (E) into groups as follows:

- Select scan of existing TDM practice
- Locally focused TDM program design and coordination
- Legislatively driven initiatives
- Metro program modifications

Response to Motion 36 (A) through (E)

Select scan of existing TDM practice

A) List of "Best" practices in CA, including the Bay Area.

"Best practices" are most effectively assessed against identified performance objectives - including specific consideration of desired impact, as the outlined continuum suggests. As presented in the Phase One analysis, staff believes those objectives require more definition from the Board. Therefore, identifying "best practices" makes sense once those objectives are outlined, to be cross walked with any recommended future actions.

That said, given the Motion's specific focus on the San Francisco Bay Area, staff has prepared a side-by-side comparison of what that region and Southern California have both done in the arena of employer commute benefits, a subject of much interest and legislative proposals including Motion elements C.7 and C.8 below. That comparison is provided in Attachment B.

B) Inventory funding sources for planning or implementing TDM program

The Phase One report provided an extensive list of Metro TDM-related actions already in place, as well as key supporting investments upon which any successful TDM program relies. In short, the sources of funding are as varied as the TDM actions and supporting initiatives themselves, and comprise local, state, and federal funds across capital and operating needs. Staff

recommends that it would be more informative for the Board to first provide direction on overall TDM future actions, if any; staff subsequently would construct a companion assessment of available fund sources that would consider new priorities alongside existing investments for Board consideration.

Locally focused TDM program design and coordination

- C) 1. Countywide guidelines to help municipalities create and implement TDM policies/best practices beyond countywide standards
- C) 2. Countywide TDM marketing outreach to target users through branding
- C) 3. Facilitate regular discussion between transportation management organizations to coordinate countywide and local ordinances

Depending on their implementation, these three potential actions could materially change the current operating environments for TDM throughout the county. As outlined in Phase One, Metro fundamentally serves in a supporting role for a body of TDM activities carried out by:

- SCAQMD and SCAG (imposition and oversight of TDM actions that address federal air quality standards, imposed on public and private employers);
- local jurisdictions (who can elect to implement local TDM ordinances above and beyond SCAQMD Rule 2202 and other requirements); and
- the region's employers (who must comply with mandated actions, but can also elect voluntarily to do more).

Metro carries out key TDM actions as a major employer to satisfy SCAQMD's Rule 2202 requirement; supports significant activities at substantial cost that allow and facilitate mode shift away from single occupant driving (transit, parking management at stations, vanpool, subsidized fare instruments, to name a few); and, at no cost to employers, provides supportive activities to assist in employer Rule 2202 compliance, at roughly \$1 million a year.

Shifting this paradigm could require reassigning responsibilities among the parties noted, depending on a) what and why certain situations need to change; and b) who would be responsible for owning those changes. Therefore, staff recommends that Metro conduct a survey of all cities, Los Angeles County, SCAG and SCAQMD to drill down into

- what is-or isn't-performing effectively within the large realm of TDM activities in LA County;
- what options exist to improve that performance; and
- what resources, authorities and accountabilities would need to be in place to ensure performance is improved.

Particularly when addressing the question of "What gaps exist today with the current state of TDM", it is essential to solicit feedback directly from cities and the County. For example, while there may be opportunities relative to TDM ordinances adopted at a local level, not many cities have done so, and

it would be important to understand reasons why. As well, any countywide TDM marketing program may entail substantial resources if it is going to be effective. Before a marketing program would be launched, it would be necessary to first define a potential new TDM program.

Staff recommends that a survey of local partners at the County and included cities within the County be targeted for the first half in FY19. This effort would be especially timely given the proposed recommendations of the agency's Strategic Plan that will be brought forward for adoption this quarter. The survey should be designed to not only address the Motion's original intent, but inform and align with complementary initiatives ultimately included in the Strategic Plan. This approach would inform any future recommended action related to C) 1 and C) 2.

As a parallel effort to gain insights from the many parties that would be involved in any substantial redesign of TDM activities, Metro staff shall convene existing TDM partners to discuss current actions to respond to C) 3. To support these efforts, a new TDM manager position has been added to the Shared Mobility team to facilitate future dialogue and direction. A schedule and plan for implementation that pivots from current forums will be sent to the Board separately, with a target launch within the first quarter of FY 19.

Legislatively driven actions

- C) 4: Work with major trip generators, employers, and business community to develop tax incentives and other state legislation to enable Metro to promote/coordinate TDM strategies in the county.
- C) 7: Commuter tax benefit ordinance
- C) 8: Assume compliance of Parking Cash Out program.
- D) Incorporate into 2018 state legislative program enhanced Metro countywide TDM program capacity.

In the weeks since Motion 36 was adopted, a state legislative program was adopted in January 2018 that addressed all of the above points. Relevant excerpts from that legislative program are outlined in Attachment C. Response to those efforts will be reported through the Agency's State and Federal Legislation reporting mechanisms.

Metro program modification actions

- C) 5. Expanding U-Pass, the Employer Annual Pass Program (EAPP), the Bikeshare for Business Program, and other TAP purchase programs to allow Transportation Management Organizations (TMOs), telework centers, tourism organizations, residential and other non-employer entities to purchase bulk-rate transit and bike share passes

The group transit pass programs detailed below are currently managed by Metro Commute Services (MCS) under the Marketing Department:

Universal Pass Pilot Program (U-Pass) and GradPass Pilot Program

Under partnership agreements with individual schools, students are issued U-Pass TAP chip stickers that adhere to their student identification cards and function like regular TAP cards. The schools are

responsible for verifying enrollment and tracking participation and are invoiced \$0.75 per boarding for all boardings during the quarter or semester on all Metro services and individual municipal operators approved by both the school and the operator. The schools may not charge the students more than \$10.03 per week per participant for the duration of the pass period, which is the equivalent of the \$43/month College/Vocational fare and may not charge the students more than they are being billed by Metro for the actual boardings. This is a two-year pilot program, which expires in August 2018. MCS Staff will be coming back to the Board in May 2018 to seek approval on establishing a permanent U-Pass Program. There are currently fourteen (14) schools and three (3) municipal operators participating in the pilot program. In the first 16 months of the pilot program, there were 31,312 U-Passes sold, 3.9 million boardings, \$2.95 million in revenue collected, and a 21% increase in participants year-over-year from fall 2017 (9,137 passes sold) to fall 2018 (11,044 passes sold).

The Employer Annual Pass Program (EAPP) includes the ATAP, BTAP, E-Pass Pilot Program, and PEPP as detailed below. Metro's Bike Share for Business Program is currently marketed to businesses who are participating the EAPP Programs.

Annual Transit Access Pass (ATAP) Program

Under the ATAP program, employers may convert any type of Metro monthly or EZ Regional pass to an annual pass by paying the full fare cost for twelve months, plus a \$5.00 card fee for a custom card with the employee's photo. A Regular Metro ATAP is good on all Metro bus and rail services, including Freeway Express services that would normally charge zone fees (such as the Silver Line, 400-499 Express buses, and 577x from Long Beach to El Monte) for the flat rate of \$1200 per year, plus card fee. An EZ Regional ATAP is \$1320 and is good for local travel on 23 different public transit carriers throughout the greater Los Angeles region. In FY 17, thirty-six (36) businesses participated in this program, generating \$1.3 million in revenue.

Business Transit Access Pass (BTAP) Program

Under the BTAP Program, employers are required to purchase reduced fare annual passes for all employees at a worksite. A small percentage of employees may be exempted for approved reasons, such as using Metrolink or a vanpool to commute to work, or working a graveyard shift. BTAP passes cost \$132 to \$276 per year, plus a \$5.00 card fee for a custom card with the employee's photo. Pricing is based on the level of transit service at the worksite. In FY 17, there were 556 businesses participating in this program, generating \$4.13 million in revenue.

Employer Pass Pilot Program (E-Pass)

Commuter Services Staff is currently working with the Office of Management and Budget (OMB) on a Pilot Program which will be based on a per-boarding cost and administered through partnership agreements, similar to the U-Pass Program. The approved per-boarding charge of \$1.40 is equivalent to the current average fare per boarding that Metro is collecting under the ATAP Program. As a marketing incentive, the maximum cost per participant will be capped at \$80 per month. Sixteen businesses have been approved by OMB for participation in this program, including the City of Santa Monica, NBC Universal, and all fourteen (14) U-Pass schools. Commuter Services will work with OMB on any additional participants.

Promotional Employer Pass Program (PEPP)

As an introduction to the EAPP programs, the Promotional Employer Pass is open only to new

businesses who are not currently participating in an EAPP program. Employers may make a one-time purchase of discounted passes at 50% of cost for a 3-month pass (\$150 each) and must purchase passes for 10% of their employees, with no exemptions. In FY 17, three (3) businesses participated in the PEPP program and one of those converted to BTAP at the end of the promotional program, generating \$6,088 in revenue.

Residential Transit Access Pass (RTAP)

Based on past practice, the current Residential TAP (RTAP) program offers discounted passes to official Metro Joint Development projects under the Business Transit Access Pass (BTAP) program. Metro Joint Development projects can purchase BTAP passes at \$276 per year + \$5.00 card fee, and they are required to buy one pass for each residential unit in the development. Currently, there are two (2) developments participating in this program.

All other Transit Oriented Development (TOD) and affordable housing projects must purchase Annual Transit Access Passes (ATAPs), which are priced at the full fare for 12 months + a \$5.00 card fee, and can include regular Metro Passes, EZ Regional passes, or Senior Passes. Affordable housing developments are required to buy one pass for each affordable housing unit in the project, but they are not required to buy passes for additional units in the development. All other developments are required to buy one pass per unit in the development. A regular Metro ATAP is \$1200 per year, an EZ Regional ATAP is \$1320 per year, and a Senior ATAP is \$240 per year, not including the card fee. There is one (1) affordable housing project and one (1) TOD project participating in this program for 2018.

The FY17 revenue for the RTAP program is included above in the ATAP and BTAP program totals. The Planning Department is currently working with OMB on modifications to this program.

KUEHL AMENDMENT: To include that the EAPP Program (which includes ATAP and BTAP) be amended to include a pay-per-boarding model similar to the U-Pass Program at a fare-per boarding (FPB) rate approved by OMB (either as a pilot program or as a new payment option under BTAP).

See Employer Pass Pilot Program (E-Pass) above.

C) 6: Strategies to promote telecommuting

Telecommuting has become a widely accepted practice, and most organizations that do permit it develop metrics to track their employees' productivity. Telecommuting can be a valuable tool to complement strategies to reduce vehicle miles travelled (VMT) and reduce traffic congestion even if only practiced one day a week. Telework is best suited for jobs that require independent work, little face-to-face interaction, concentration, a measurable work product and output-based (instead of time-based) monitoring, but it may be used in other jobs as well. Typically organizations consider telecommuting to be a viable alternative work arrangement in cases where individual, job and supervisor characteristics are best suited to such an arrangement. Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their regular workweek. Telecommuting is a voluntary work alternative that may be appropriate for some employees and some jobs. Two local examples for illustration are:

- Metro's policy allows for telecommuting only for special circumstances that is temporary in nature and cannot extend past 6 months. The policy requires detailed documentation including an agreement to ensure all work hours are accounted for. Currently language is not included for telecommuting for purposes of reduction of VMT or peak hour congestion.
- Cal State LA's policy allows for telecommuting based on a work plan established by the employee and the institution. The policy requires an agreement to be executed and is less restrictive in regards to when an employee is eligible to telecommute and allows for the agreement to be effective for one year. The type of work conducted at the educational institutional which requires extensive research and grant writing make a telecommuting program feasible and is reflected in the policy.

C) 9: Establish TDM Coordinator position/consolidate functions

Staff has already hired a person to serve as a coordinator for TDM activities targeted to employer support. The position resides in Metro's Planning Department.

DETERMINATION OF SAFETY IMPACT

There is no safety impact associated with the planning and administrative activities contemplated in this Board report.

FINANCIAL IMPACT

There could be a range of financial impacts associated with implementing future actions arising from recommendations included in this Board report. Discrete actions and an assessment of their capital and/operating costs would be brought before the Board for action individually, or as part of a program of associated actions as appropriate.

ALTERNATIVES CONSIDERED

The recommendations for further development included in this Board report could be deferred by the Board. In all cases, staff would endeavor to pursue next steps that are coordinated with existing or anticipated related initiatives, to maximize resource efficiency.

NEXT STEPS

Suggested next steps are outlined for each of the elements under "Response to Motion 36". Staff will move forward as directed by the Board to carry out those recommendations.

ATTACHMENTS

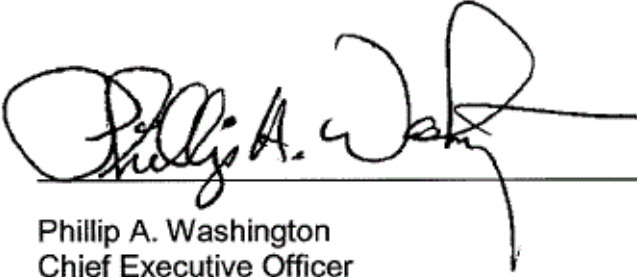
Attachment A - Board Motion 36

Attachment B - Regional Commuter Benefit Program: Los Angeles County/San Francisco Bay Area

Attachment C - Excerpts: 2018 Metro State Legislative Program

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Chief Executive Officer



Board Report

File #: 2017-0715, File Type: Informational Report

Agenda Number: 36.

PLANNING AND PROGRAMMING COMMITTEE OCTOBER 18, 2017

Revised Motion by:

Garcetti, Dupont-Walker and Butts

October 18, 2017

Countywide Transportation Demand Management

MTA should be a national leader in working with local jurisdictions to promote transit use, active transportation, and other multi-modal travel.

MTA is leading a great expansion of mobility options in Los Angeles County, including the rail and bus transit system, bikeshare, first-last mile links, and groundbreaking technology-based new mobility services, including U-Pass and On-demand Microtransit Pilot Programs. A robust and comprehensive countywide Transportation Demand Management (TDM) program would maximize the benefits of these investments in LA County's transportation systems.

TDM focuses on reducing single-occupancy vehicle trips by making other transportation options more attractive. TDM promotes sustainable transportation options such as transit, carpooling, vanpooling, bicycling and walking. TDM strategies boost transit ridership, promote telecommuting, reduce single-occupancy vehicle trips, and reduce greenhouse gas emissions. MTA can serve as the facilitator of a countywide TDM program that encourages and supports local jurisdictions in initiating, developing, and implementing their own TDM initiatives.

Currently, there is an absence of a robust and comprehensive countywide TDM promotion and coordination program in Los Angeles County. As the countywide transportation agency, MTA is ideally suited to lead this effort. A robust TDM program will enable MTA to leverage its historic transportation investments to further change travel behavior and help the region ease congestion and meet statewide greenhouse gas emissions reduction goals. This would build on MTA's ongoing Congestion Reduction activities, including 511, promoting carpooling through ExpressLanes, creating vanpools, etc.

MTA can promote TDM strategies through many different methods--by coordinating local TDM objectives, creating a comprehensive TDM marketing strategy, measuring the effectiveness of multi-modal solutions, and other strategies. While some cities already have existing TDM programs or initiated efforts to establish TDM programs, many more cities in LA County could implement effective TDM programs with support from MTA.

Some jurisdictions, including the City of Los Angeles, have identified a need to make major updates to their TDM ordinances to incentivize sustainable transportation solutions more broadly through their development review processes and establish more robust monitoring and evaluation protocols.

The goal of the State of California is to reduce greenhouse gas emissions to 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. Currently, automobiles are the single largest source of emissions in Los Angeles. Los Angeles County residents approved Measure M in November 2016 to create more mobility options. MTA can do more to support local jurisdictions to meet state goals, and to create a seamless user experience throughout Los Angeles County that will create more MTA rail and bus riders, encourage carpooling and vanpooling, and boost countywide active transportation usage.

**SUBJECT: REVISED MOTION BY DIRECTORS GARCETTI AND
DUPONT-WALKER AND BUTTS**

TRANSPORTATION DEMAND MANAGEMENT

WE, THEREFORE, MOVE that the Board direct the CEO to:

- A. Prepare a list of TDM best practices of California agencies and jurisdictions, including but not limited to the Bay Area Metropolitan Transportation Commission;
- B. Inventory current MTA funding sources for planning or implementing TDM programs and projects at the county or local level;
- C. Recommend how MTA can establish a robust and comprehensive countywide TDM program, including but not limited to:
 1. Countywide TDM guidelines to help municipalities create and implement TDM policies by establishing best practices for TDM application, monitoring, and evaluation, and allowing for flexibility to innovate beyond countywide standards;
 2. Countywide TDM marketing, outreach, and engagement campaign that targets potential users through a compelling and recognizable brand available to local cities and jurisdictions to promote multi-modal travel choices such as transit, vanpooling, carpooling, walking, and bicycling;
 3. Facilitating regular discussions between Transportation Management Organizations in the region to coordinate countywide and local TDM ordinance implementation activities and share best practices;
 4. Working with major trip generators, major employers, and business community representatives to develop and implement tax incentives and other state legislation necessary for MTA to effectively promote and coordinate TDM strategies in Los Angeles County;
 5. Expanding U-Pass, the Employer Annual Pass Program (EAPP), the Bikeshare for Business Program, and other TAP purchase programs to allow Transportation Management Organizations (TMOs), telework centers, tourism organizations, residential and other non-employer entities to purchase bulk-rate transit and bike share passes;

6. Strategies to promote telecommuting;
 7. Establishing a Countywide Commuter Tax Benefit Ordinance to provide incentives for non-single occupancy vehicle travel;
 - a. Seeking legislation to enable Los Angeles County to implement the nation's most aggressive commuter tax benefits program to reimburse and credit the cost of sustainable transportation options. This legislation should explore ways to provide significant tax-credit benefits for the use of transit, vanpooling, bicycling, and all other sustainable transportation modes;
 - b. Should legislation be successfully secured, a first priority for resources created by this program would be the establishment of an MTA TDM Implementation Demonstration Program. The TDM Demonstration Program would target selected jurisdictions for early implementation of best-practice TDM strategies, along with appropriate financial incentives. MTA may give special priority to any multi-jurisdictional TDM program proposal.
 8. Managing compliance with the State of California's Parking Cash-Out law for worksites within Los Angeles County;
 9. Considering consolidation of MTA's various TDM functions into a single group and/or creating a Countywide TDM Coordinator position tasked with coordinating MTA's TDM efforts, including identifying additional staffing needs;
- D. Incorporate into MTA's 2018 state legislative program for MTA to seek legislation that would strengthen MTA's ability to carry out a countywide TDM program; and
- E. Report back to the Planning and Programming Committee on all the above in 420 150 days.

KUEHL AMENDMENT: to include that the EAPP Program (which includes ATAP and BTAP) be amended to include a pay-per-boarding model similar to the U-Pass Program at a fare-per-boarding (FPB) rate approved by the Office of Management and Budget (either as a pilot program or as a new payment option under BTAP)

REGIONAL COMMUTER BENEFIT PROGRAM: LOS ANGELES COUNTY/SAN FRANCISCO BAY AREA		
Directives/Functions	LA Metro (specifically by)	MTC/Bay Area Air Quality Mgt District (specifically by)
TDM History	<p>Metro has a 21-year history of funding TDM ridesharing (shared mobility) and various commute assistance programs/services for Los Angeles County businesses and community residents. Initially, Commuter Transportation Services (CTS), a non-profit organization, provided these services and subsequently Southern California Association of Governments (SCAG) operated the services from the mid-1990s through the end of FY 2002, which was supported and funded by LACMTA. Beginning in FY 2003, these services were transitioned to Metro for in-house implementation of a comprehensive rideshare/shared mobility program and support focus. It is the intent of this program to create a one-stop resource for Los Angeles County employers, TMA/Os, ETCs and individual Angelenos. This program provides assistance related to the rideshare/shared mobility programs and also serves as a conduit for the SCAQMD to effectively communicate Rule 2202 guidelines and regulations to TMA/Os and Employer ETCs.</p>	<p>The Bay Area Air Quality Management District (BAAQMD) and Metropolitan Transportation Commission (MTC) jointly developed the Bay Area Commuter Benefits Program in response to Senate Bill 1128, which was signed into law in September 2012. Prior to that, state legislation prohibited the imposition of such a program in the San Francisco Bay area.</p>
Associated Ordinances	<p>LA Metro offers programs and services intended to assist employers that are required to comply with air quality and congestion management measures, specifically associated to SCAQMD's Rule 2202 ECRP/TRP (Employee Commute Reduction Program/Trip Reduction Plan); as well as self-imposed local ordinances enacted by the City of Santa Monica, West Hollywood, Glendale, Burbank, Pasadena and self-regulated employers, such as LA County.</p>	<p>The Bay Area Commuter Benefits Program is a partnership led by MTC and the BAAQMD, specific to Regulation 14, which is related to Senate Bill 1339 (2012 pilot program) and Senate Bill 1128 (2016 permanent program). Local ordinances have also been adopted by City of San Francisco and City of Berkeley.</p>

REGIONAL COMMUTER BENEFIT PROGRAM: LOS ANGELES COUNTY/SAN FRANCISCO BAY AREA		
Directives/Functions	LA Metro (specifically by)	MTC/Bay Area Air Quality Mgt District (specifically by)
Note	The SCAQMD's Rule 2202 ECRP/TRP is designed to improve air quality through the reduction of SOV travel through a variety of methodologies within the Los Angeles regions, which include our sister counties of OCTA, RCTC and SBCTA. It is this purpose that has helped shape our in-house Regional Rideshare/Shared Mobility employer assistance program, as well as influencing the design of local ordinances. Metro's focus is a <i>supportive function</i> for the employers in meeting regulatory compliance, as opposed to oversight and compliance management, which is held by SCAQMD. Of note, Metro is seeing a steady increase in program participation from non-regulated employers in highly congested corridors.	This is a cooperative relationship between the Bay Air Quality Management District and MTC and is focused on compliance driven initiatives. While the MTC concentrates on employer outreach and assisting with overcoming registration and education barriers, the Bay Area Air Quality Management District is responsible for employer compliance. This program is starting its second year as a permanent program, and is primarily focused on outreach and encouraging compliance. Formal non-compliance actions (including penalties/fines) against employers have not yet been taken, though BAAQMD has that authority under statute.
Compliance Threshold	SCAQMD Rule 2202 - Requires employers with 250 or more full or part-time employees within the South Coast Air Basin who report to work between the hours of 6 a.m. and 10 a.m.	Regulation 14 (Senate 1128) - Requires employers with 50 or more full time employees within the geographic boundaries of the Bay Area Air Quality Management District to offer one of four commuter benefit compliance options to all covered employees.
Other	Non-regulated employers are encouraged to offer commuter services to their employee base. The general public commuter is also assisted with securing alternatives to SOV commutes and have full access to our services.	Non-regulated employers are also encouraged to offer commuter services to their employee base. MTC offers similar ridesharing/vanpool services.
Regulatory Oversight	None by Metro as Metro is a support function. SCAQMD regulates Rule 2202 compliance. Local ordinance compliance is handled by each employers' corresponding regulatory agency/jurisdiction.	Reg 14 is administered by BAAQMD, including compliance oversight.
Overall Goal	Improve air quality and reduce SOV traffic congestion by promoting and supporting the use of alternative modes of transportation, such as carpooling, transit, vanpooling, biking, walking. Increase overall employer/employee participation.	Improve air quality and reduce SOV traffic congestion by promoting and supporting the use of transit and other alternative commute modes of transportation. Increase overall employer/employee participation.
Cost to Customer	None - Free of Charge through Metro.	None - Free of Charge through partnership.

REGIONAL COMMUTER BENEFIT PROGRAM: LOS ANGELES COUNTY/SAN FRANCISCO BAY AREA

Directives/Functions	LA Metro (specifically by)	MTC/Bay Area Air Quality Mgt District (specifically by)
Participation Requirement	Employers meeting thresholds are required to participate under the rules associated to their specific ordinances.	The focus is to achieve voluntary compliance; however, all employers that subject to the program are required to participate.
Measuring Tool	AVR (Average Vehicle Ridership) annual survey and report. Target AVR varies by geographic location of employer's physical worksite or Zone 1, 2 or 3. Some cities, such as Santa Monica, have self-imposed higher AVR targets. Employers regulated by the SCAQMD are required to complete a yearly ECRP/TRP, which includes an annual fee imposed by the air district. Routine (unannounced) audits conducted by the SCAQMD in relation to their oversight responsibilities as well as audits conducted under local jurisdiction regulatory compliance.	On-line registration, which requires an annual renewal/update. Retain records on a three-year basis and submit to the Air District upon their request.
Compliance Failure - Fines	Predetermined and specified by and through each employers' corresponding ordinance (Rule 2202 and/or local).	Handled on a case-by-case basis, based on the California Health and Safety Code.

REGIONAL COMMUTER BENEFIT PROGRAM: LOS ANGELES COUNTY/SAN FRANCISCO BAY AREA		
Directives/Functions	LA Metro (specifically by)	MTC/Bay Area Air Quality Mgt District (specifically by)
<p>Compliance Options and/or Program Requirements</p>	<p>Under the ECRP compliance choice:</p> <ul style="list-style-type: none"> * Annual Registration, which requires a ECRP TRP submittal, which includes an AVR survey and report. * Pay annual registration fee. * Designate employer Employee Transportation Coordinator. * Maintain compliance records for auditing purposes * <u>Participate in/offer at least five (5) of the following marketing strategies</u> : TDM Marketing Certification class, direct communication with highest ranking official at agency/business, newsletter specific to TDM information/education for employees, annual rideshare/shared mobility promotional events, new hire orientation commuter benefits presentation, rideshare/shared mobility focus groups, TDM associated website and other. <u>At least five (5) of the following basic/support strategies</u> : Commuter Choice Program {tax-free 132(f)} benefits, flex time, Guaranteed Ride Home Program, personalized commute assistance, preferred parking for carpool/vanpools, ridematching services, transit information center and other. <u>Also, at least five (5) of the following direct strategies</u> : Auto service, bike/walk program, compressed work week, direct financial rewards, discounted/free meals, employee clean vehicle purchases, gift certificates/incentives for participants, off peak rideshare/shared mobility program, parking charge/subsidy, parking cash out, points program, prize drawing, start-up incentives, telecommuting, time off with pay, transit subsidy, vanpool program and other. 	<p>Under the Commuter Benefits Program:</p> <ul style="list-style-type: none"> * Register in Commuter Benefits Program. * Designate employer Commuter Benefits Coordinator. * Notify employees of Commuter Benefits Options. * Update registration on an annual basis. * Maintain records (document compliance). * Respond to information request by the Air District/MTC. * <u>Offer at least one (1) of the following:</u> <ol style="list-style-type: none"> 1.) Allow for 132(f) transit/vanpool pre-tax exemption benefit. 2.) Provide a transit/vanpool subsidy to cover or reduce employee's cost. 3.) Provide low-cost of free shuttle, vanpool or bus service. 4.) Offer an alternate commuter benefit that would be equal to and as effective to one of the 3 options listed above in reducing SOVs and air quality initiatives; such as, supportive functions promoting biking, walking, carpooling, teleworking, compressed work-week, parking cash-out and EV service and support.

EXCERPTS: 2018 METRO STATE LEGISLATIVE PROGRAM

Seek legislation to enable Los Angeles County to implement the nation's most aggressive commuter tax benefits program to reimburse and credit the cost of sustainable transportation options and that would strengthen Metro's ability to carry out a countywide Transportation Demand Management program;

Support legislation and explore funding opportunities that would allow for Metro to establish a robust and comprehensive Transportation Demand Management program;

Support California Air Resources Board's efforts to implement the State of California's Parking Cash-Out law for worksites within Los Angeles County;

Support legislation that would expand authority for Metro or other entities to establish Commuter Benefit Programs; and

Explore legislative remedies to establish or expand Los Angeles County's existing Commuter Benefits Programs.