

## H.R. 3449 (H. Johnson) Analysis and Recommendation

**TITLE:** Stronger Communities through Better Transit Act

**AUTHOR:** Rep. Hank Johnson (D-GA)

**CO-SPONSORS:** 144 co-sponsors, including the following from BART's service area: Reps. Garamendi, Khanna, Mullin, Pelosi, Simon, and Swalwell

**RECOMMENDATION:** Support

**BACKGROUND:** BART faces a structural deficit averaging \$375 million a year beginning in Fiscal Year (FY) 2027 and has been focused on growing ridership, right-sizing service, cutting operating expenses, and securing a new, sustainable source of operations funding. Recent efforts to improve the ridership experience include deploying all new train cars, increasing train and station cleaning, boosting the visible presence of armed and unarmed safety personnel, and installing new fare gates. These initiatives have shown results, with an 89% customer satisfaction rating as well as a 41% drop in crime on the BART system from 2024 to 2025.

**PURPOSE:** H.R. 3449 would create a new formula grant program under the United States Department of Transportation (DOT) to provide \$20 billion annually over four years (\$80 billion total) to support operating and capital costs related to transit projects that make "substantial improvements to transit service," including those that:

- Decrease headways and expand service.
- Improve reliability and travel times, including transit priority lanes.
- Upgrade technology for real-time information and safety.
- Connect different transit systems and improve wayfinding and fare coordination.
- Plan for future needs based on demographics and travel patterns.
- Measure access to jobs and essential services for non-drivers.
- Enhance safety and security, including outreach to vulnerable populations.
- Improve the transit environment, including by increased cleaning.
- Develop the transit agency's workforce.

The grant formula would allocate to each urbanized area 50% of the area's average annual operating costs over the preceding three-year period, based on data from the National Transit Database.

Representative Johnson introduced similar legislation in the 118<sup>th</sup> Congress, H.R. 7039, which the BART Board supported in 2024.

**DISTRICT IMPACT:** Several BART projects and initiatives could qualify for funding under the bill's proposed categories. Examples include, but are not limited to, safety and cleanliness initiatives, fare coordination, and wayfinding improvements. Federal grant funds could help take pressure off BART's operating budget to deliver these rider-facing improvements.

**KNOWN SUPPORT/OPPOSITION:** **Support:** Transport Workers Union of America (TWU), Amalgamated Transit Union (ATU), Transportation Trades Department AFL-CIO, Metropolitan Atlanta Rapid Transit Authority (MARTA), Transportation for America, Natural Resources Defense Council (NRDC), National Campaign for Transit Justice, Sierra Club, International Association of Machinists and Aerospace Workers, and Union of Concerned Scientists. **Opposition:** None known at this time.

**STATUS:** Referred to the House Transportation and Infrastructure Committee's Subcommittee on Highways and Transit.



119TH CONGRESS  
1ST SESSION

# H. R. 3449

To amend title 49, United States Code, to establish a program to provide grants to eligible recipients for eligible operating support costs of public transportation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2025

Mr. JOHNSON of Georgia (for himself, Mr. COITEN, Ms. McCLELLAN, Ms. TLATB, Mr. FROST, Mr. CLEAVER, Ms. DEAN of Pennsylvania, Mr. BOYLE of Pennsylvania, Mr. DOGGETT, Ms. WILSON of Florida, Mrs. RAMIREZ, Mr. KENNEDY of New York, Mrs. McIVER, Ms. NORTON, Mr. SMITH of Washington, Mrs. SYKES, Mr. GOMEZ, Ms. SIMON, Mr. DAVIS of Illinois, Ms. SUTIAKOWSKY, Mr. CARBAJAL, Mr. GARCIA of California, Ms. SÁNCHEZ, Mr. MULLIN, Ms. DELBENE, Mr. MCGARVEY, Mr. RASKIN, Ms. KELLY of Illinois, Mr. GARAMENDI, Mr. VEASEY, Mr. HORSFORD, Mrs. MCBATH, Ms. MENG, Mr. RUTZ, Mr. CARTER of Louisiana, Ms. TITUS, Mr. LYNCH, Mr. FIELDS, Mr. MORELLE, Ms. SCANLON, Ms. OMAR, Mrs. FOUSTEE, Mr. TONKO, Ms. MOORE of Wisconsin, Ms. ADAMS, Mr. MAGAZINER, Mr. POCAN, Mr. MOULTON, Mr. EVANS of Pennsylvania, Mr. LANDSMAN, Mr. THOMPSON of Mississippi, Ms. JAYAPAL, Mrs. WATSON COLEMAN, Ms. DEGETTE, Mr. MFUME, Mr. DELUZIO, Mrs. HAYES, Mr. TIANEDAR, Ms. BARRAGÁN, Mrs. BEATTY, Ms. BROWN, Mr. FITZPATRICK, Ms. OCASIO-CORTEZ, Mr. GARCÍA of Illinois, Ms. LEE of Pennsylvania, Mr. KILANNA, Mr. NEAL, Ms. PINGREE, Ms. CLARKE of New York, Mr. KRISHNAMOORTHY, Mr. SHERMAN, Ms. BUDZINSKI, Ms. ANSARI, Mr. NADLER, Mrs. CHERFILUS-McCORMICK, Mr. RYAN, Mr. GOTTHEIMER, Mr. CASTEN, Mr. JACKSON of Illinois, Ms. GARCIA of Texas, Ms. SHERRILL, Mr. FIGURES, Mr. CASAR, Ms. VELÁZQUEZ, Ms. HOULAHAN, Mr. SORENSEN, Mr. HUFFMAN, Ms. ESCOBAR, Mr. FOSTER, Ms. CITU, Ms. ROSS, Mr. VARGAS, Ms. STANSBURY, Mr. GOLDMAN of New York, Mr. AMO, Mr. MOSKOWITZ, Ms. SEWELL, Mrs. DINGELL, Mr. HARDER of California, Mr. QUIGLEY, Ms. SALINAS, Mr. TAKANO, Mr. BISHOP, and Mr. IVEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

# A BILL

To amend title 49, United States Code, to establish a program to provide grants to eligible recipients for eligible operating support costs of public transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stronger Communities  
5 through Better Transit Act”.

6 **SEC. 2. HIGH QUALITY TRANSIT OPERATING SUPPORT PRO-**  
7 **GRAM.**

8 (a) IN GENERAL.—Chapter 53 of title 49, United  
9 States Code, is amended by inserting after section 5307  
10 the following:

11 **“§ 5308. High quality transit operating support pro-**  
12 **gram**

13 “(a) IN GENERAL.—The Secretary of Transportation  
14 shall establish a program under which the Secretary may  
15 make grants to eligible recipients to enhance mobility and  
16 improve environmental sustainability through investing in  
17 public transportation service improvements.

18 “(b) ALLOCATION OF FUNDING.—For each fiscal  
19 year, the Secretary shall allocate funding as follows:

20 “(1) Each urbanized area, State, and Indian  
21 Tribe that is an eligible recipient shall receive an ap-

1       portionment based on data contained in the National  
2       Transit Database such that—

3               “(A) each urbanized area shall receive an  
4               amount equal to 50 percent of the urbanized  
5               area’s average annual operating costs over the  
6               3-year period preceding such fiscal year;

7               “(B) each State shall receive an amount  
8               equal to 50 percent of the subrecipients in such  
9               State under section 5311 average operating  
10              costs over the 3-year period preceding such fis-  
11              cal year; and

12              “(C) each Indian Tribe shall receive an  
13              amount equal to 50 percent of the Indian  
14              Tribe’s average operating costs over the 3-year  
15              period preceding such fiscal year.

16              “(2) For funds remaining after the apportion-  
17              ment described in paragraph (1), such funds shall be  
18              apportioned such that each urbanized area, State,  
19              and Indian Tribe that is an eligible recipient shall  
20              receive an apportionment equal to the proportion of  
21              all operating costs reported to the National Transit  
22              Database over the 3-year period preceding the fiscal  
23              year in which such funds are apportioned.

24              “(3) In any given year, no urbanized area,  
25              State, or Indian Tribe may receive an apportionment

1 under this subsection that is greater than 80 percent  
2 of the average operating costs over the 3-year period  
3 preceding the fiscal year in which such funds are ap-  
4 portioned.

5 “(c) ELIGIBLE PROJECTS.—

6 “(1) IN GENERAL.—Eligible recipients may use  
7 funding provided under this section for operating  
8 costs associated with projects eligible under this  
9 chapter and title 23 that improve public transpor-  
10 tation service for transit dependent populations and  
11 support increased transit ridership, including—

12 “(A) projects that decrease headways;

13 “(B) projects for new or expanded service  
14 area, hours, or days;

15 “(C) projects to improve transit reliability  
16 or travel time savings, including transit  
17 prioritization;

18 “(D) IT enhancements to improve cus-  
19 tomer information and customer and employee  
20 safety such as implementation of real-time tran-  
21 sit data;

22 “(E) projects to support seamless complete  
23 trips, including—

24 “(i) projects to improve transit net-  
25 work connectivity;

1 “(ii) signage and wayfinding;

2 “(iii) fare coordination; and

3 “(iv) multimodal payment integration;

4 “(F) service planning related to funding  
5 provided under this section, including planning  
6 to address changing demographics, changing  
7 travel movement, network redesign (including  
8 the implementation of a plan that results in a  
9 net increase in service hours across a region,  
10 subregion, or study area), and accommodating  
11 essential service trips (including service trips  
12 for employment, healthcare facilities, child care,  
13 education and workforce training, food sources,  
14 banking and other financial institutions, and  
15 other retail shopping establishments);

16 “(G) measuring access to work and essen-  
17 tial services, particularly for non-drivers, for the  
18 purpose of developing projects to be funded  
19 under this section, including data acquisition  
20 and acquiring outside support for conducting  
21 analysis of such data;

22 “(H) measures to enhance customer sense  
23 of safety and security, including public safety  
24 measures and outreach to unhoused persons in  
25 the transit system;

1           “(I) initiatives to improve the transit envi-  
2           ronment, such as additional or enhanced clean-  
3           ing; and

4           “(J) workforce development initiatives nec-  
5           essary to improve or maintain service.

6           “(2) NO EFFECT ON OTHER LAWS.—The use of  
7           funds from this section for operating costs of  
8           projects described in paragraph (1) may not affect  
9           the eligibility of such projects to receive funding  
10          from other sections of this chapter or title 23.

11          “(d) REQUIREMENT.—A preponderance of a grant  
12          received by a recipient under this section in a fiscal year  
13          shall be used for projects that benefit underserved commu-  
14          nities or areas of persistent poverty.

15          “(e) FEDERAL SHARE.—

16                 “(1) IN GENERAL.—The Federal share of a  
17                 project or program carried out using a grant award-  
18                 ed under this section shall be not greater than 50  
19                 percent.

20                 “(2) FEDERAL SHARE FOR OPERATING EX-  
21                 PENSES.—In the case that a project includes both  
22                 operating components funded from this section and  
23                 non-operating components, the Federal share for op-  
24                 erating components shall be 50 percent and for non-  
25                 operating components shall be consistent with the

1 requirements of the funding source for those compo-  
2 nents.

3 “(3) INCREASED FEDERAL SHARE FOR CERTAIN  
4 AREAS.—Notwithstanding paragraph (2), the Fed-  
5 eral share of an operating assistance component of  
6 a project or program carried out in an area of per-  
7 sistent poverty or an underserved community using  
8 a grant awarded under this section shall be not  
9 greater than 80 percent.

10 “(4) FEDERAL SHARE FOR INDIAN TRIBES.—  
11 Notwithstanding paragraphs (1) through (3), for In-  
12 dian Tribes receiving funding allocated under sub-  
13 section (b)(1)(C), the Federal share of a project or  
14 program carried out using a grant awarded under  
15 this section shall be 100 percent.

16 “(5) IN KIND MATCH.—Of the non-Federal  
17 share required under this subsection, 25 percent  
18 may be derived from amounts (other than amounts  
19 received from the Federal Transit Administration)  
20 expended for associated capital improvements related  
21 to a project or program carried out using a grant  
22 awarded under this section.

23 “(f) PERIOD OF AVAILABILITY.—An amount appor-  
24 tioned under this section may be obligated by the recipient  
25 for 2 years after the fiscal year in which the amount is

1 apportioned. Not later than 30 days after the end of the  
2 2-year period, an amount that is not obligated at the end  
3 of that period shall be added to the amount that may be  
4 apportioned under this section in the following fiscal year.

5 “(g) CONDITIONS FOR OPERATING ASSISTANCE.—As  
6 a condition of receiving a grant under this section, an eli-  
7 gible recipient shall—

8 “(1) in the case of a recipient in an urbanized  
9 area—

10 “(A) agree to report to the Federal Transit  
11 Administration, for inclusion in the National  
12 Transit Database—

13 “(i) service frequency and revenue ve-  
14 hicle hours, including revenue vehicle hours  
15 and unlinked passenger trips originating  
16 and terminating in areas of persistent pov-  
17 erty and underserved communities, to-  
18 gether with such other specific data as the  
19 Secretary shall find necessary and appro-  
20 priate; and

21 “(ii) the number of jobs and essential  
22 services accessible by transit, and improve-  
23 ment in such access, including specific re-  
24 porting on access by transit for areas of

1           persistent poverty and underserved com-  
2           munities; and

3           “(B) demonstrate that such recipient has  
4 surveyed, within the past year and at least  
5 every 2 years thereafter, current transit riders  
6 as well as non-riding residents of areas of per-  
7 sistent poverty and underserved communities  
8 regarding transit service improvements, using  
9 means designed to maximize participation from  
10 both riders and non-riders, and has published  
11 the survey in an online format;

12           “(2) in the case of a recipient that is an Indian  
13 Tribe—

14           “(A) agree to report to the Federal Transit  
15 Administration, for inclusion in the National  
16 Transit Database, revenue vehicle hours and  
17 unlinked passenger trips, together with such  
18 other specific data as the Secretary shall find  
19 necessary and appropriate; and

20           “(B) demonstrate that such recipient has  
21 surveyed, within the past year and at least  
22 every 2 years thereafter, current transit riders  
23 as well as non-riding residents of the Tribe’s  
24 service area regarding transit service improve-  
25 ments, using means designed to maximize par-

1           ticipation from both riders and non-riders, and  
2           has published the survey in an online format;  
3           and

4           “(3) in the case of a recipient that is a State  
5           or other possession receiving assistance under sec-  
6           tion 5311—

7                   “(A) agree to report to the Federal Transit  
8           Administration, for inclusion in the National  
9           Transit Database, revenue vehicle hours for  
10          each subrecipient receiving assistance under  
11          this section, including revenue vehicle hours and  
12          unlinked passenger trips originating and termi-  
13          nating in areas of persistent poverty and under-  
14          served communities, together with such other  
15          specific data as the Secretary shall find nec-  
16          essary and appropriate;

17                   “(B) provide an annually updated report to  
18          the Secretary identifying those underserved  
19          communities and areas of persistent poverty in  
20          the non-urbanized areas of the State or posses-  
21          sion that do not have any reported public tran-  
22          sit services, or in which either the availability or  
23          utilization of rural public transit is in the bot-  
24          tom quintile as compared to all rural public  
25          transit services in the United States, using such

1           measurements as shall be identified by the Sec-  
2           retary, together with annually updated progress  
3           toward achieving the State’s or possession’s  
4           strategy for establishing high-quality transit  
5           service in these unserved and underserved com-  
6           munities and areas of persistent poverty; and

7           “(C) demonstrate that every subrecipient  
8           of the State or possession has surveyed, within  
9           the past year and at least every 2 years there-  
10          after, current transit riders as well as non-  
11          riding residents of areas of persistent poverty  
12          and underserved communities within the sub-re-  
13          cipient’s service area regarding transit service  
14          improvements, using means designed to maxi-  
15          mize participation from both riders and non-rid-  
16          ers, and has published the survey in an online  
17          format.

18          “(h) REGULATIONS.—Not later than 1 year after the  
19          date of enactment of this section, the Secretary shall issue  
20          such regulations as are necessary to carry out the program  
21          established under subsection (a), including defining the  
22          terms ‘preponderance of a grant’, and ‘access to jobs and  
23          essential service’ for purposes of this section and taking  
24          into account any necessary difference in the definition of

1 such terms required for urbanized areas, rural areas lo-  
2 cated near urbanized areas, and remote rural areas.

3 “(i) ACCESS MEASUREMENT.—

4 “(1) IN GENERAL.—In carrying out the pro-  
5 gram under this section, the Secretary shall set up  
6 a multimodal access measurement interface that is  
7 open to any public agency through the program  
8 under section 5505 to aid transit agencies in deter-  
9 mining and reporting on access to jobs and essential  
10 services.

11 “(2) INTERIM DATA.—Until the access meas-  
12 urement interface under paragraph (1) is estab-  
13 lished, an eligible recipient may use other data  
14 sources to determine and report on access to jobs  
15 and essential services.

16 “(j) MAINTENANCE OF EFFORT.—

17 “(1) IN GENERAL.—Not later than 30 days  
18 after the beginning of each fiscal year, recipients of  
19 funds under this section shall certify to the Sec-  
20 retary that such recipients will, with funding pledged  
21 by all sources, maintain effort with regard to transit  
22 service. As part of such certification, the transit  
23 agency shall submit to the Secretary a statement  
24 identifying the amount of funds from all sources  
25 (other than funds provided under this section and

1 related non-Federal match) expended on transit op-  
2 erations during the prior fiscal year, and the amount  
3 expected to be expended on transit operations from  
4 all sources during the current fiscal year.

5 “(2) FAILURE TO MAINTAIN EFFORT.—If a re-  
6 cipient of funds under this section is unable to main-  
7 tain the level of effort certified pursuant to para-  
8 graph (1) for any fiscal year, the amount such re-  
9 cipient would have received under this section in the  
10 following fiscal year shall be reduced by one-third.

11 “(k) RULE OF CONSTRUCTION.—Nothing in this sec-  
12 tion shall be construed to prevent an eligible recipient  
13 from increasing service through the use of any other Fed-  
14 eral or non-Federal funds.

15 “(l) AUTHORIZATION OF APPROPRIATIONS.—There is  
16 authorized to be appropriated to carry out this section  
17 \$20,000,000,000 for each of fiscal years 2025 through  
18 2028.

19 “(m) DEFINITIONS.—In this section:

20 “(1) AREAS OF PERSISTENT POVERTY.—The  
21 term ‘area of persistent poverty’ means—

22 “(A) a county that has consistently had  
23 greater than or equal to 20 percent of the pop-  
24 ulation of such county living in poverty during  
25 the most recent 30-year period for which data

1 is available, as measured by the 1990 and 2000  
2 decennial censuses; or

3 “(B) a census tract with a poverty rate of  
4 at least 20 percent as measured by the 2014  
5 through 2018 5-year data series available from  
6 the American Community Survey of the Bureau  
7 of the Census.

8 “(2) ASSOCIATED CAPITAL IMPROVEMENTS.—  
9 The term ‘associated capital improvements’ means a  
10 capital project described in subparagraphs (B)  
11 through (G) of section 5302(4).

12 “(3) ELIGIBLE RECIPIENT.—The term ‘eligible  
13 recipient’ means a recipient or subrecipient of funds  
14 under section 5307 or 5311.

15 “(4) UNDERSERVED COMMUNITY.—The term  
16 ‘underserved community’ means—

17 “(A) a census tract or block numbering  
18 area in which the median income does not ex-  
19 ceed 80 percent of the area median income;

20 “(B) families with income not greater than  
21 100 percent of the area median income that re-  
22 side in minority census tracts;

23 “(C) families with income not greater than  
24 100 percent of the area median income that re-  
25 side in areas affected by disasters, as deter-

1           mined by the Administrator of the Federal  
2           Transit Administration;

3           “(D) a census tract that has a minority  
4           population of at least 30 percent or a median  
5           income of less than 100 percent of the area me-  
6           dian income;

7           “(E) a community that has low access to  
8           jobs and essential services, as determined by  
9           the Secretary; or

10          “(F) a census block or group of geographi-  
11          cally contiguous census blocks in which the pop-  
12          ulation of any racial or ethnic minority individ-  
13          uals, individually or in combination, comprises  
14          30 percent or more of the population of persons  
15          in the census block or group of geographically  
16          contiguous census blocks.”.

17          (b) FEDERAL TRANSIT PROGRAM GENERAL PUR-  
18          POSES.—Section 5301(b) of title 49, United States Code,  
19          is amended by adding at the end the following:

20                 “(9) support public transportation’s role in  
21                 combating climate change through growing/retaining  
22                 transit ridership.”.

23          (c) APPLICABILITY OF LAW.—The Secretary of  
24          Transportation shall ensure that the requirements of sec-

1 tion 5333 of title 49, United States Code, are applied to  
2 section 5308 of such title (as added by subsection (a)).

3 (d) GAO REPORT.—Not later than 4 years after the  
4 date of enactment of this Act, the Comptroller General  
5 of the United States shall submit to the Committee on  
6 Transportation and Infrastructure of the House of Rep-  
7 resentatives and the Committee on Banking, Housing, and  
8 Urban Affairs of the Senate a report that reviews the out-  
9 comes of the program established under section 5308 of  
10 title 49, United States Code, as added by subsection (a),  
11 including new service produced and improvements in ac-  
12 cess to work and essential services, particularly for areas  
13 of persistent poverty and underserved communities.

14 (e) CLERICAL AMENDMENT.—The analysis for chap-  
15 ter 53 of title 49, United States Code, is amended by in-  
16 serting after the item relating to section 5307 the fol-  
17 lowing:

“5308. High quality transit operating support program.”.

18 (f) SENSE OF CONGRESS.—It is the sense of Con-  
19 gress that capital funding for transit should be increased.

20 **SEC. 3. INCREASED FEDERAL SHARE OF OPERATING COSTS**  
21 **FOR RURAL AREAS.**

22 Section 5311(g)(2) of title 49, United States Code,  
23 is amended to read as follows:

24 “(2) OPERATING ASSISTANCE.—A grant made  
25 under this section for operating assistance may not

- 1 exceed 80 percent of the net operating costs of the
- 2 project, as determined by the Secretary.”.

○

## **H.R. 7298 (Simon and Jacobs) Analysis and Recommendation**

**TITLE:** Connecting Communities Through Transit Planning Act

**AUTHORS:** Reps. Lateefah Simon (D-CA) and Sara Jacobs (D-CA)

**CO-SPONSOR:** Rep. LaMonica McIver (D-NJ)

**RECOMMENDATION:** Support

**BACKGROUND:** BART has a robust Transit-Oriented Development (TOD) program that aims to partner with developers and local jurisdictions to build housing on District-owned land. BART has an ambitious goal to deliver 20,000 housing units, 7,000 of them affordable, through TOD projects by 2040. To date, BART's TOD program has delivered 4,232 housing units, which includes 1,298 designated affordable. An additional 4,321 units are in the planning process, with 1,873 designated affordable.

In 2012, Congress established the Pilot Program for TOD Planning under the Federal Transit Administration (FTA). This program provides planning grants for building TOD alongside new or significantly expansive transit capital projects, such as core capacity improvement projects, near fixed guideways. The Infrastructure Investment and Jobs Act included nearly \$69 million for the program over five years.

BART has received \$3.77 million from this federal program over three awards:

1. Through the BART Perks Program, pre-pandemic peak-hour passenger loads were reduced by encouraging travel at less crowded times including before and after rush hour and on evenings and weekends. BART also worked with the City of Oakland on a Downtown Specific Plan, to reduce long-term pressure on the Transbay corridor by growing jobs and housing in the area.
2. The Richmond BART Corridor TOD Strategy advanced mixed-use TOD at El Cerrito Plaza, North Berkeley, and Ashby stations by establishing supportive policies such as objective design standards, affordable housing financing strategies, and parking reductions.
3. The BART A-Line Jobs Attraction Study identified and prioritized job-generating uses and key stations to increase employment density, allowing for coordination between BART and city partners to boost corridor ridership and economic activity.

**PURPOSE:** H.R. 7298 would make the Pilot Program for TOD Planning permanent and recast it as the Grant Program for TOD Planning. The bill authorizes \$75 million for the program each year for Fiscal Years (FY) 2027 through 2031, in addition to any amount that may be authorized in the next surface transportation authorization that would set transportation program funding levels for FY 2027 through 2031, and clarifies TOD planning projects within existing fixed guideway systems, including bus rapid transit, qualify. The bill would also ensure that pre-development work to prepare a site for TOD, such as utility coordination, site evaluation, design, accessibility assessments, and community outreach initiatives, is eligible for funding.

**DISTRICT IMPACT:** Under the restructured grant program, BART could apply for funding to support pre-development work associated with our TODs including planning activities, feasibility studies, community outreach, and engineering and architectural design.

**KNOWN SUPPORT/OPPOSITION:** **Support:** California Transit Association, East Bay Housing Organizations, East Bay Asian Local Development Corporation, Transform. **Opposition:** None known at this time.

**STATUS:** Referred to the House Committee on Transportation and Infrastructure.

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7298

To amend the Federal Public Transportation Act of 2012 to alter project eligibility for the transit-oriented development planning grant program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2026

Ms. SIMON (for herself and Ms. JACOBS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Federal Public Transportation Act of 2012 to alter project eligibility for the transit-oriented development planning grant program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Connecting Commu-  
5 nities Through Transit Planning Act of 2026”.

1 **SEC. 2. GRANT PROGRAM FOR TRANSIT-ORIENTED DEVELOPMENT PLANNING.**  
2

3 (a) IN GENERAL.—Section 20005(b) of the Federal  
4 Public Transportation Act of 2012 (49 U.S.C. 5303 note)  
5 is amended—

6 (1) in the subsection heading by striking  
7 “PILOT PROGRAM” and inserting “GRANT PRO-  
8 GRAM”;

9 (2) in paragraph (1)—

10 (A) in subparagraph (A) by striking  
11 “means a new fixed guideway capital project or  
12 a core capacity improvement project, as those  
13 terms are defined in section 5309 of title 49,  
14 United States Code, as amended by this divi-  
15 sion.” and inserting “means—

16 “(i) a new fixed guideway capital  
17 project or a fixed guideway bus rapid tran-  
18 sit project, as those terms are defined in  
19 section 5309; or

20 “(ii) a corridor-based capital invest-  
21 ment in an existing fixed guideway sys-  
22 tem.”; and

23 (B) by striking subparagraph (B) and in-  
24 serting the following:

25 “(B) PREDEVELOPMENT ACTIVITIES.—The  
26 term ‘predevelopment activities’ includes plan-

1           ning, site evaluation, engineering and architec-  
2           tural design, community engagement, feasibility  
3           studies, utility coordination, accessibility assess-  
4           ments, and other activities necessary to prepare  
5           a site for transit-oriented development.”;

6           (3) in paragraph (2)—

7                 (A) in the matter preceding subparagraph  
8           (A) by inserting “and predevelopment activi-  
9           ties” after “planning”;

10                (B) in subparagraph (E)—

11                   (i) by striking “infrastructure” and  
12                   inserting “and address infrastructure and  
13                   utility”; and

14                   (ii) by striking “and” at the end;

15                 (C) in subparagraph (F) by striking the  
16           period at the end; and

17                 (D) by inserting at the end the following:

18                   “(G) support predevelopment activities;

19                   and

20                   “(H) improve access to transit and transit-  
21                   oriented development sites for all users, includ-  
22                   ing individuals with disabilities, seniors, vet-  
23                   erans, and other transit-dependent populations,  
24                   to ensure people of all ages and abilities can  
25                   safely and efficiently reach and navigate transit

1 stations and transit-oriented developments, in-  
2 cluding through paratransit connectivity and bi-  
3 cycle infrastructure.”;

4 (4) in paragraph (3)—

5 (A) in subparagraph (D) by inserting “and  
6 predevelopment activities” after “plan”; and

7 (B) in subparagraph (E)(iii) by inserting  
8 “and predevelopment activities” after “plan”;  
9 and

10 (5) by adding at the end the following:

11 “(4) **AUTHORIZATION OF APPROPRIATIONS.**—In  
12 addition to any amounts appropriated under section  
13 5338, there is authorized to be appropriated to carry  
14 out this subsection \$75,000,000 for each of fiscal  
15 years 2027 through 2031.”.

16 (b) **TRANSFER.**—Section 20005(b) of the Federal  
17 Public Transportation Act of 2012 (49 U.S.C. 5303 note)  
18 is transferred to appear as subsection (s) of section 5303  
19 of title 49, United States Code.

○

## S. 3455 (Van Hollen and Fetterman) Analysis and Recommendation

**TITLE:** Moving Transit Forward Act of 2025

**AUTHORS:** Sens. Christopher Van Hollen (D-MD) and John Fetterman (D-PA)

**CO-SPONSORS:** Sens. Lisa Blunt Rochester (D-DE), Kristen Gillibrand (D-NY), Elizabeth Warren (D-MA), Angela Alsobrooks (D-MD), Edward Markey (D-MA), Tammy Duckworth (D-IL), Cory Booker (D-NJ), Richard Blumenthal (D-CT), Adam Schiff (D-CA), Tina Smith (D-MN), and Jeff Merkley (D-OR)

**RECOMMENDATION:** Support

**BACKGROUND:** BART is the backbone of the Bay Area and remains essential to the region's economy and mobility. While more than three-quarters of BART riders have returned, they are generally taking fewer trips due to remote and hybrid work schedules. BART faces a structural deficit averaging \$375 million a year beginning in Fiscal Year (FY) 2027 and has been focused on growing ridership, right-sizing service, cutting operating expenses, and securing a new, sustainable source of operations funding. Efforts to improve the ridership experience include deploying all new train cars, increasing train and station cleaning, boosting the visible presence of armed and unarmed safety personnel, and installing new fare gates. These initiatives have shown results, with an 89% customer satisfaction rating as well as a 41% drop in crime on the BART system from 2024 to 2025.

**PURPOSE:** S. 3455 would create a new formula grant program under the Department of Transportation (DOT) to improve transit service and fund safety and security enhancements. Grants would provide states and local transit agencies with additional resources to cover the costs of adding new routes, increasing service frequency, preventing cuts to current service, and improving safety for riders and transit workers, among other investments to improve the rider experience. Grant funds used for operating expenses must be matched with a 20 percent non-federal match. No dollar amount is specified in the bill for this new grant program.

Senators Van Hollen and Fetterman introduced similar legislation in the 118<sup>th</sup> Congress, S. 4316, which the BART Board supported in 2024.

**DISTRICT IMPACT:** Several BART projects and initiatives could qualify for funding under the bill's proposed categories. Examples include but are not limited to the hiring of law enforcement or security personnel and supporting initiatives related to improving service, safety and cleanliness as well as fare coordination and station hardening.

**KNOWN SUPPORT/OPPOSITION:** **Support:** Amalgamated Transit Union (ATU), National Campaign for Transit Justice, SMART Transportation Division, Transportation Trades Department-AFL-CIO, Transport Workers Union (TWU), Maryland Department of Transportation, Central Maryland Transportation Alliance, International Association of Machinists and Aerospace Workers (IAM), and American Federation of State, County, and Municipal Employees (AFSCME) **Opposition:** None known at this time.

**STATUS:** Referred to the Senate Committee on Banking, Housing, and Urban Affairs.

119TH CONGRESS  
1ST SESSION

# S. 3455

To authorize urbanized area formula grants for service improvement and safety and security enhancement, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2025

Mr. VAN HOLLEN (for himself, Mr. FETTERMAN, Ms. BLUNT ROCHESTER, Mrs. GILLIBRAND, Ms. WARREN, Ms. ALSOBROOKS, Mr. MARKEY, Ms. DUCKWORTH, Mr. BOOKER, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To authorize urbanized area formula grants for service improvement and safety and security enhancement, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Moving Transit For-  
5 ward Act of 2025”.

1 **SEC. 2. URBANIZED AREA FORMULA GRANTS FOR SERVICE**  
2 **IMPROVEMENT AND SAFETY AND SECURITY**  
3 **ENHANCEMENT.**

4 (a) IN GENERAL.—Chapter 53 of title 49, United  
5 States Code, is amended by inserting after section 5307  
6 the following:

7 **“§ 5308. Urbanized area formula grants for service**  
8 **improvement and safety and security en-**  
9 **hancement**

10 “(a) GENERAL AUTHORITY.—The Secretary may  
11 make grants under this section for—

12 “(1) operating costs of equipment and facilities  
13 for use in public transportation in an urbanized  
14 area, if such costs increase or support the quality,  
15 frequency, or geographic availability of service;

16 “(2) planning of service adjustments to increase  
17 the quality, frequency, or geographic availability of  
18 service;

19 “(3) capital projects or operating costs to in-  
20 crease the security of an existing or planned public  
21 transportation system, including costs of law en-  
22 forcement or security personnel; or

23 “(4) capital projects for safety risk mitigations  
24 that are identified and recommended by the safety  
25 committee of a recipient under section 5329.

26 “(b) APPORTIONMENTS.—

1           “(1) IN GENERAL.—The Secretary shall appor-  
2           tion the amounts made available for each fiscal year  
3           to carry out this section so that each urbanized area  
4           is entitled to receive an amount equal to the amount  
5           apportioned under this section multiplied by a ratio  
6           equal to the urbanized area’s operating expenses for  
7           the most recent year reported to the Secretary under  
8           section 5335, divided by the total operating expenses  
9           attributable to all urbanized areas.

10           “(2) ADDITIONAL AMOUNTS.—Amounts appor-  
11           tioned to each urbanized area shall be added to  
12           amounts apportioned to that urbanized area under  
13           section 5336 and made available for eligible activi-  
14           ties under this section in accordance with the re-  
15           quirements of section 5307, except as modified  
16           under this section.

17           “(c) GRANT REQUIREMENTS.—

18           “(1) CERTIFICATIONS.—

19           “(A) GRANTS FOR OPERATING COSTS OF  
20           EQUIPMENT AND FACILITIES TO INCREASE OR  
21           SUPPORT SERVICE.—A recipient of assistance  
22           for operating costs under subsection (a)(1) shall  
23           certify to the Secretary that the recipient will—

24                           “(i) utilize the operating assistance to  
25                           increase or support the total level of vehi-

1           cle revenue service provided by the recipi-  
2           ent; and

3                   “(ii) ensure that the amount of non-  
4           Federal expenditures for operating ex-  
5           penses for each of the fiscal years for  
6           which the recipient proposes to use the op-  
7           erating assistance to increase or support  
8           vehicle revenue service is not less than the  
9           amount of non-Federal expenditures of the  
10          recipient for operating expenses for the  
11          most recent fiscal year.

12                   “(B) GRANTS FOR CAPITAL PROJECTS OR  
13          OPERATING COSTS TO INCREASE SECURITY.—A  
14          recipient of assistance for capital projects or op-  
15          erating costs under subsection (a)(3) shall cer-  
16          tify to the Secretary that the recipient will en-  
17          sure that the amount of non-Federal expendi-  
18          tures for security expenses of the recipient for  
19          each of the fiscal years for which the recipient  
20          proposes to use assistance to increase the secu-  
21          rity of an existing or planned public transpor-  
22          tation system is not less than the amount of  
23          non-Federal expenditures for security expenses  
24          of the recipient for the most recent fiscal year.

1           “(2) OTHER PROGRAMS OR PLANS.—Operating  
2 assistance under this section is not required to be in-  
3 cluded in a transportation improvement program,  
4 metropolitan transportation plan, statewide trans-  
5 portation improvement program, or statewide trans-  
6 portation plan under section 5303 or 5304.

7           “(3) PROHIBITION.—Operating assistance  
8 under subsection (a)(1) and assistance for planning  
9 under subsection (a)(2) shall not be made available  
10 for transitioning fixed route public transportation  
11 service provided as of the date of receipt of funds to  
12 services offered by a third-party contract provider  
13 providing on-demand service.

14           “(4) OTHER AMOUNTS.—Notwithstanding sec-  
15 tion 5307(a)(1)(D), an urbanized area may use not  
16 more than 10 percent of the apportionment for the  
17 area under section 5336 as if such amounts were  
18 made available originally under this section.

19           “(d) GOVERNMENT SHARE OF COSTS FOR OPER-  
20 ATING EXPENSES.—

21           “(1) IN GENERAL.—A grant under this section  
22 for operating expenses shall be for 80 percent of the  
23 net project cost of the project.

24           “(2) ADDITIONAL MATCHING AMOUNTS.—A re-  
25 cipient of a grant under this section for operating

1 expenses may provide additional local matching  
2 amounts beyond the amount required under para-  
3 graph (1).”.

4 (b) TECHNICAL AND CONFORMING AMENDMENT.—

5 The table of sections for chapter 53 of title 49, United  
6 States Code, is amended by inserting after the item relat-  
7 ing to section 5307 the following:

“5308. Urbanized area formula grants for service improvement and safety and  
security enhancement.”.

○

## AB 1941 (M. González) Analysis and Recommendation

**TITLE:** Organized Metal Theft

**AUTHOR:** Assemblymember Mark González (D-Los Angeles)

**CO-AUTHORS:** 22 Members of the Legislature, including the following from BART's service area: Assemblymembers Ahrens and Haney

**SPONSORS:** CalBroadBand, League of California Cities, San Jose Mayor Matt Mahan, US Telecom – The Broadband Association

**RECOMMENDATION:** Support

**BACKGROUND:** An increase in the value of scrap metals over the last two decades has coincided with an increase in occurrences of metal theft. According to “Protecting the Nation’s Critical Communications Infrastructure,” a 2025 report published jointly by major national telecommunications and broadband associations, showed that communications infrastructure in the United States alone experienced more than 5,700 incidents of metal theft and vandalism between June and December 2023. These crimes often lead to a multitude of telecommunication and utility outages, including disruptions to 911 emergency systems, law enforcement operations, public transit operations, streetlights, traffic lights, and healthcare systems.

The issue of copper and other metal theft has long plagued BART, adversely affecting transit operations and the District’s non-revenue vehicle fleet. In 2011, the BART Police Department prepared a report on the impact of metal theft to the District. The report detailed that copper theft incidents had targeted earthquake retrofit sites, capital improvement construction sites, storage facilities, and track wayside areas. In 2012, BART supported efforts to pass Assembly Bill (AB) 1971 (Chapter 82, Statutes of 2012), which increased the fine for criminally receiving materials that a recycler should have reasonably known are used by or belong to a railroad, telephone company or other utility provider.

In 2025, the BART Board also supported AB 476 (Chapter 694, Statutes of 2025), which required junk dealers and recyclers to collect and retain more detailed records of junk sales and raised fines for violating provisions concerning the possession of certain metal items that were stolen from railroads, utility companies or public utilities. AB 476 had included language to create a new crime of organized metal theft, punishable as a misdemeanor or felony. This provision was amended out of the bill before final passage.

**PURPOSE:** AB 1941 would create a new crime of organized metal theft, which would allow prosecutors to bring enhanced charges for coordinated or repeated metal thefts of copper or other high-value metals. The bill defines “organized metal theft” as acting in concert with one or more persons to steal high value metals with the intent to sell or otherwise exchange them for their value, to receive, purchase, or possess high value metals that are known or believed to be stolen, or act as part of an organized effort to commit theft, recruit, coordinate, organize, supervise, direct, manage, or finance another to commit an act of metal theft. The bill would make any violation of organized metal theft punishable as a misdemeanor or felony.

Additionally, the bill states that information related to metal theft that is provided to the state Department of Justice by a local law enforcement agency, public agency, or private entity such as a utility company shall be made available to other relevant law enforcement, public agencies, and private entities across the state.

Last October, BART attended a roundtable convened by California Attorney General Rob Bonta on the issue of metal theft. Participants included law enforcement, local governments, and telecommunications companies. One idea that came out of this roundtable was for the California Department of Justice to be a clearinghouse for information related to metal theft, allowing for information sharing about criminal organizations that may be targeting different entities to steal metals.

**DISTRICT IMPACT:** Metal theft is harmful to BART's infrastructure from a financial, operational, and public safety perspective. Thieves have cut holes in fencing along grade-level tracks, cut fiber optic communications cables looking for copper, and broken into storage yards to steal copper from cable spools. Vandalism to BART property has included damage to security fences, substations, and materials for maintenance or upcoming projects.

This problem strains BART's financial and human resources. Costs are incurred not only for the replacement of the copper materials but also the labor associated with replacement and the time spent away from accomplishing other important maintenance or improvement projects in the District. Potential service delays and safety hazards could be caused by power and communication errors stemming from missing criminal activity related to copper theft.

The financial impact of each incident depends on the type and extent of vandalism. For example, the cost to replace cut cables on a spool can range from \$200,000 to \$500,000 per spool, depending on the amount of damage done to the spool. Vandalism to a transformer at a substation could cost \$2 to \$5 million per incident, including materials and staffing costs. Staffing costs can also range from \$40,000 to \$700,000 for each incident that causes a service delay and may involve BART employees and/or contracted vendors performing repairs during regular service and non-revenue hours. Depending on the scope of repairs needed, BART service could be affected for several hours or longer, potentially setting back BART's farebox revenue by up to \$1 million per incident.

**KNOWN SUPPORT/OPPOSITION: Support:** In addition to the bill's sponsors, over 80 law enforcement and business associations, government agencies, and telecommunications companies. Supporters in BART's service area include: City of San Jose, Fremont Chamber of Commerce, Hayward Chamber of Commerce, Oakland Chamber of Commerce, San Bruno Chamber of Commerce, San Francisco Chamber of Commerce, San Francisco Police Officers Association, San Jose Downtown Association, San Mateo County Economic Development Association (SAMCEDA), and Silicon Valley Leadership Group.

**Opposition:** ACLU California Action, California Public Defenders Association, Californians United for a Responsible Budget, Community Works West, Initiate Justice, Justice2jobs Coalition, LA Defensa, Legal Services for Prisoners with Children, San Francisco Public Defender, Smart Justice California, and Vera Institute of Justice.

**STATUS:** Passed Assembly Committee on Public Safety (8-0) on March 24 and referred to Assembly Committee on Appropriations.

AMENDED IN ASSEMBLY MARCH 26, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1941**

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**Introduced by Assembly Member Mark González**

*(Principal coauthor: Assembly Member Solache)*

*(Principal coauthor: Senator Rubio)*

*(Coauthors: Assembly Members Ahrens, Alanis, Castillo, Davies, Ellis, Haney, Hoover, Macedo, Patel, Sanchez, Schiavo, Ta, and Wallis)*

*(Coauthors: Senators Alvarado-Gil, Archuleta, Hurtado, Niello, Ochoa Bogh, Pérez, and Valladares)*

February 13, 2026

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An act to add Sections 496f and 11199.6 to the Penal Code, relating to metal theft.

LEGISLATIVE COUNSEL'S DIGEST

AB 1941, as amended, Mark González. Organized metal theft.

Existing law makes a person who is a dealer in or collector of junk, metals, or secondhand materials, or their agent, employee, or representative, who buys or receives any wire, cable, copper, lead, solder, mercury, iron, or brass that the person knows or reasonably should know is used by or belongs to specified entities, including a railroad, certain utility companies, or a public entity engaged in furnishing public utility service, without using due diligence to ascertain that the person selling or delivering that material has a legal right to do so, guilty of criminally receiving that property and, in addition to imprisonment, makes that act punishable by a fine of not more than \$5,000.

**AB 1941**

— 2 —

This bill would prohibit organized metal theft, described as acting in concert with one or more persons to steal metal materials from one or more of specified materials and ~~items~~, *items with the intent to sell, exchange, or return those metal materials for value*, acting in concert with 2 or more persons to receive, purchase, or possess those metal materials knowing or believing it to have been stolen, acting as an agent of another to steal those metal materials as part of an organized plan to commit theft, or recruiting, coordinating, organizing, supervising, directing, managing, or financing another to undertake acts of theft of metal. The bill would make a violation of organized metal theft punishable as either a misdemeanor or a felony. The bill would make related findings and declarations and state the intent of the Legislature. By creating new crimes, the bill would impose a state-mandated local program.

Existing law encourages local law enforcement agencies to report thefts of commodity metals that have occurred within their jurisdiction to a specified privately maintained theft alert system to ensure that persons using the system receive timely and thorough information regarding metal thefts.

This bill would authorize local law enforcement agencies, public agencies, and private entities to provide information about theft of commodity metals to the Department of Justice and would require the department to make this information available to such local law enforcement agencies, public agencies, and private entities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) California is facing a statewide surge in organized metal
- 3 theft, particularly involving copper wire and other high-value
- 4 metals used in public infrastructure, communication networks, and
- 5 utility systems.

1 (b) Driven by soaring global copper prices and gaps in  
2 enforcement and regulation, criminals have increasingly targeted  
3 essential public assets, including streetlights, bridges, rail systems,  
4 telecommunications lines, and electrical infrastructure, to strip and  
5 resell stolen metal for profit.

6 (c) This epidemic of metal theft has caused widespread public  
7 safety hazards, power outages, and costly disruptions to critical  
8 infrastructure. The resulting repair costs are borne by taxpayers  
9 and local agencies, often exceeding millions of dollars for damage  
10 that yields thieves only a fraction of that amount in illicit sales.

11 (d) Recent incidents illustrate the scope and severity of the  
12 problem across California:

13 (1) In Los Angeles, copper wire theft has repeatedly plunged  
14 entire neighborhoods and landmarks, including the Sixth Street  
15 Viaduct known as the “Ribbon of Light,” into darkness with repair  
16 costs exceeding \$2,500,000 and thousands of feet of wire stolen  
17 in broad daylight.

18 (2) The Los Angeles Bureau of Street Lighting has reported  
19 unprecedented levels of streetlight outages, with nearly 46,000  
20 service requests in 2024, of which approximately 40 percent were  
21 theft related.

22 (3) Telecommunications providers, including Frontier, have  
23 been forced to suspend service to residents due to repeated copper  
24 theft cutting off access to 911 emergency systems and leaving  
25 seniors and vulnerable populations without reliable communication.

26 (4) In northern California, copper theft has caused power outages  
27 severe enough to close public schools and disrupt essential services.

28 (e) Law enforcement agencies have made arrests and seized  
29 tens of thousands of pounds of stolen copper. Despite these efforts,  
30 organized theft rings and unscrupulous recyclers continue to profit  
31 from the resale of stolen metal, often exploiting loopholes in  
32 existing laws and insufficient oversight of scrap metal transactions.

33 (f) The financial burden of repairing damaged infrastructure  
34 continues to escalate. Municipalities have been forced to divert  
35 scarce public resources and propose increased property assessments  
36 to fund streetlight repairs and security improvements.

37 (g) Metal theft undermines public safety by darkening streets,  
38 disabling traffic signals, and jeopardizing emergency  
39 communications and thus creates conditions that endanger  
40 residents, first responders, and essential workers.

1 (h) The Legislature recognizes that, while local task forces and  
2 ordinances have been established to combat this growing threat,  
3 a coordinated statewide response is necessary to deter theft,  
4 strengthen penalties for organized operations, and enhance  
5 accountability for metal recyclers and dealers who knowingly  
6 purchase stolen materials.

7 (i) It is the intent of the Legislature to support local governments  
8 and law enforcement agencies through enhanced coordination and  
9 penalties targeting organized theft networks and protect public  
10 infrastructure, utilities, and community safety from the escalating  
11 economic and social harms caused by metal theft.

12 SEC. 2. Section 496f is added to the Penal Code, to read:

13 496f. (a) A person who commits any of the following acts is  
14 guilty of organized metal theft and shall be punished pursuant to  
15 subdivision (b):

16 (1) Acts in concert with one or more persons to steal metal  
17 materials from one or more of the items described in subdivision  
18 (a) of Section 496a or subdivision (a) of Section ~~496e~~. *496e with*  
19 *the intent to sell, exchange, or return the metal materials for value.*

20 (2) Acts in concert with two or more persons to receive,  
21 purchase, or possess metal materials described in subdivision (a)  
22 of Section 496a or subdivision (a) of Section 496e knowing or  
23 believing it to have been stolen.

24 (3) Acts as an agent of another individual or group of individuals  
25 to steal metal materials described in subdivision (a) of Section  
26 496a or subdivision (a) of Section 496e as part of an organized  
27 plan to commit metal theft.

28 (4) Recruits, coordinates, organizes, supervises, directs,  
29 manages, or finances another to undertake any of the acts described  
30 in paragraph (1) or (2) or any other statute defining theft of metal.

31 (b) Organized metal theft is punishable as follows:

32 (1) If violations of paragraph (1), (2), or (3) of subdivision (a)  
33 are committed on two or more separate occasions within a  
34 12-month period, and if the aggregated value of the metal stolen,  
35 received, purchased, or possessed within that 12-month period  
36 exceeds nine hundred fifty dollars (\$950), the offense is punishable  
37 by imprisonment in a county jail not exceeding one year or  
38 pursuant to subdivision (h) of Section 1170.

39 (2) Any other violation of paragraph (1), (2), or (3) of  
40 subdivision (a) that is not described in paragraph (1) of this

1 subdivision is punishable by imprisonment in a county jail not  
2 exceeding one year.

3 (3) A violation of paragraph (4) of subdivision (a) is punishable  
4 by imprisonment in a county jail not exceeding one year or  
5 pursuant to subdivision (h) of Section 1170.

6 (c) For the purpose of determining whether the defendant acted  
7 in concert with another person or persons in any proceeding, the  
8 trier of fact may consider any competent evidence, including, but  
9 not limited to, all of the following:

10 (1) The defendant has previously acted in concert with another  
11 person or persons in committing acts constituting theft, or any  
12 related offense, including any conduct that occurred in counties  
13 other than the county of the current offense, if relevant to  
14 demonstrate a fact other than the defendant's disposition to commit  
15 the act.

16 (2) That the defendant used or possessed an artifice, instrument,  
17 container, device, or other article capable of facilitating the removal  
18 of metal from materials described in subdivision (a) of Section  
19 496a or subdivision (a) of Section 496e without permission or  
20 authorization and use of the artifice, instrument, container, or  
21 device or other article is part of an organized plan to commit metal  
22 theft.

23 (3) The property involved in the offense is of a type or quantity  
24 that would not normally be collected or purchased for personal  
25 use, and the property is intended for resale.

26 (d) In a prosecution under this section, the prosecutor shall not  
27 be required to charge any other coparticipant of the organized  
28 metal theft.

29 (e) This section does not preclude or prohibit prosecution  
30 pursuant to Section 594 or charging an enhancement pursuant to  
31 Sections 12022.6 or 12022.65.

32 SEC. 3. Section 11199.6 is added to the Penal Code,  
33 immediately following Section 11199.5, to read:

34 11199.6. Local law enforcement agencies, public agencies,  
35 and private entities, including, but not limited to,  
36 telecommunication companies, recycling companies, and private  
37 utility companies, may provide information about theft of  
38 commodity metals, including, but not limited to, ferrous metal,  
39 copper, brass, aluminum, nickel, stainless steel, and alloys, to the  
40 Department of Justice. The department shall make this information

**AB 1941**

— 6 —

1 available to such local law enforcement agencies, public agencies,  
2 and private entities.

3 SEC. 4. No reimbursement is required by this act pursuant to  
4 Section 6 of Article XIII B of the California Constitution because  
5 the only costs that may be incurred by a local agency or school  
6 district will be incurred because this act creates a new crime or  
7 infraction, eliminates a crime or infraction, or changes the penalty  
8 for a crime or infraction, within the meaning of Section 17556 of  
9 the Government Code, or changes the definition of a crime within  
10 the meaning of Section 6 of Article XIII B of the California  
11 Constitution.

O

## SB 1218 (Arreguín) Analysis and Recommendation

**TITLE:** Refusal of registration: illegal dumping violation penalties.

**AUTHOR:** Senator Jesse Arreguín (D-Berkeley)

**COAUTHOR:** Assemblymember Mia Bonta (D-Alameda)

**SPONSOR:** Oakland Mayor Barbara Lee

**RECOMMENDATION:** Support

**BACKGROUND:** Existing law (California Penal Code Section 374.3) prohibits dumping waste in public spaces, including parks, streets, highways or roads, as well as on private property without the consent of the owner. Violation of this law is punishable as an infraction, with a conviction punished by a fine that steadily increases with the second and third or subsequent convictions. If the waste dumped was used tires, the fine is doubled. If the waste dumped was in “commercial quantities,” as defined, the person shall be guilty of a misdemeanor punishable by imprisonment in a county jail for not more than six months and a fine. The BART Police Department (BPD) can issue citations for violations of Penal Code Section 374.3. When sufficient evidence is present, BPD will make a criminal referral.

Illegal dumping is prominent throughout the Bay Area on vacant lots, in roadside medians and industrial areas, near homeless encampments, and under and adjacent to BART’s tracks and other property. Despite investments in cleanup, staffing, and expanded bulk item pick-up services, this issue has become increasingly difficult to manage for local jurisdictions and property owners.

According to the author, between 2021 and 2024, the City of Oakland issued nearly 3,000 illegal dumping citations totaling about \$1.3 million in fines. However, the city has collected only about \$109,000 of these fines. Last year, the city received over 25,000 calls reporting illegal dumping. As a result, the city removed 15 million pounds of trash.

**PURPOSE:** Senate Bill (SB) 1218 would require the California Department of Motor Vehicles (DMV) to refuse renewal of the registration of a vehicle if the registered owner or lessee has been mailed a notice of delinquent illegal dumping violation.

SB 1218 establishes an accountability mechanism that aims to reduce the dumping of waste in public spaces, which affects public health and safety. If a citation for illegal dumping remains unpaid, the fine would be transmitted to the DMV, and payment of the delinquent amount would need to be made for renewal of vehicle registration to be processed. Collected fine revenue would be distributed via the state according to an existing statutory formula with a minimum portion dedicated to city and county cleanup efforts.

**DISTRICT IMPACT:** Illegal dumping is a persistent health, environmental, and quality of life issue that has impacted BART and our neighboring communities. While increased efforts have been made to clean stations and trains, waste illegally dumped on or adjacent to BART property is a common community complaint. BART must allocate District resources to clear illegal dumping sites and coordinate with city partners to clear areas such as vacant lots, underneath trackways, and sidewalks. The enforcement and compliance tool proposed by SB 1218 could help deter illegal dumping activities and increase the collection of fine revenue, helping to support cleanup efforts by our local government partners.

**KNOWN SUPPORT/OPPOSITION:** **Support:** Oakland Mayor Barbara Lee (Sponsor); **Opposition:** None known at this time.

**STATUS:** Referred to Senate Committee on Transportation; hearing set for April 14.

**SENATE BILL**

**No. 1218**

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**Introduced by Senator Arreguín**  
(Coauthor: Assembly Member Bonta)

February 19, 2026

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An act to add Section 4760.2 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1218, as introduced, Arreguín. Refusal of registration: illegal dumping violation penalties.

Existing law requires, except as specified, the Department of Motor Vehicles (DMV) to refuse to renew the registration of a vehicle upon various grounds, including if the registered owner or lessee has been mailed a notice of a delinquent parking violation relating to standing or parking, the processing agency has filed or electronically transmitted to the department an itemization of unpaid parking penalties, and the owner or lessee has not paid the parking penalties.

Existing law makes it unlawful and punishable as an infraction for a person to dump or caused to be dumped waste matter upon a public or private highway or road, upon private property without the consent of the owner, or in or upon a public park or other public property, as specified. Existing law also makes it unlawful and punishable as a misdemeanor for a person to place, deposit, or dump, or cause to be placed, deposited, or dumped, waste matter in commercial quantities, as specified.

This bill would similarly require the DMV to refuse to renew the registration of a vehicle if the registered owner or lessee has been mailed a notice of delinquent illegal dumping violation.

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 4760.2 is added to the Vehicle Code, to  
2 read:

3 4760.2. (a) (1) Except as provided in subdivision (b) or (d),  
4 the department shall refuse to renew the registration of a vehicle  
5 if the registered owner or lessee has been mailed a notice of  
6 delinquent illegal dumping violation relating to a violation of  
7 Section 374.3 of the Penal Code, the court has filed or  
8 electronically transmitted to the department an itemization of  
9 unpaid illegal dumping penalties, including administrative fees,  
10 and the owner or lessee has not paid the illegal dumping penalties  
11 and administrative fees, unless the registrant pays to the  
12 department, at the time of application for renewal, the full amount  
13 of all illegal dumping penalties and administrative fees, as shown  
14 by records of the department.

15 (2) When the department receives the full amount of all  
16 outstanding illegal dumping penalties and administrative fees  
17 pursuant to paragraph (1), it shall issue a receipt showing each  
18 illegal dumping penalty and administrative fee that has been paid,  
19 the court for that penalty and fee, and a description of the vehicle  
20 involved in the illegal dumping violations.

21 (b) The department shall not refuse to renew the registration of  
22 a vehicle owned by a renter or lessor if the applicant provides the  
23 department with the abstract or notice of disposition of the illegal  
24 dumping violation issued pursuant to subdivision (c) for clearing  
25 all outstanding penalties and administrative fees as shown by the  
26 records of the department.

27 (c) The court shall issue an abstract or notice of disposition of  
28 the illegal dumping violation to the renter or lessor of a vehicle  
29 issued a notice of delinquent illegal dumping violation relating to  
30 a violation of Section 374.3 of the Penal Code if the renter or lessor  
31 provides the court with the name, address, and driver's license  
32 number of the rentee or lessee at the time of occurrence of the  
33 illegal dumping violation.

34 (d) The department shall not refuse to renew the registration of  
35 a vehicle if the illegal dumping violation citation was issued prior  
36 to the registered owner taking possession of the vehicle.

37 (e) The department shall allow a registered owner or lessee to  
38 file a certification that the vehicle will not be operated, moved, or

1 left standing upon a highway pursuant to Section 4604, if the  
2 registered owner or lessee currently owes illegal dumping penalties  
3 and administrative fees for that vehicle, regardless of whether or  
4 not that registered owner or lessee is currently on an active payment  
5 plan.

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