EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:	DocuSigned by: Michael Jones 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D:	
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Originator/Prepared by: Alex Walker Dept: Gov't & Community Relations Signature/Date: Signed by: Alex Walker E5C79D9D7ADA46E... 11/24/2025	General Counsel DocuSigned by: Amelia Sandoval-Smith 2528C067C44147D... 11/24/2025 [ ]	Chief Financial Officer Signed by: Joseph Beach 7D9A7C6E7348456... 11/25/2025 [ ]	District Secretary DocuSigned by: Robert Franklin AFF4529E1F0D45C... 11/25/2025 [ ]	BARC DocuSigned by: Val Menotti AA8F1409A8F748E... 11/25/2025[ ]

2026 Federal and State Legislative Advocacy Program

PURPOSE:

To review, discuss, and seek approval of the San Francisco Bay Area Rapid Transit District's (BART) 2026 Federal and State Legislative Advocacy Program.

DISCUSSION:

BART's federal and state advocacy efforts are guided by annual goals adopted by the Board of Directors. The goals reflect BART's legislative priorities and provide direction to staff and BART's advocates as they seek to influence funding and policy decisions in Washington, D.C. and Sacramento. The following summarizes proposed federal and state advocacy goals for the 2026 legislative session:

2026 FEDERAL ADVOCACY GOALS

Regional Transportation Revenue Measure

With California Senate Bill (SB) 63 (Chapter 740, Statutes of 2025) signed into law, a regional transportation revenue measure is authorized to be placed on the November 2026 ballot. BART Directors, staff, and advocates will educate the Bay Area Congressional delegation of the bill's proposed expenditures, phased financial efficiency review, and accountability measures. BART will educate members on recent efforts to increase revenue, reduce costs, and operate more efficiently and provide factual information on the impacts of not securing additional operations funding.

Surface Transportation Reauthorization

The Bipartisan Infrastructure Law (BIL)/Infrastructure Investment and Jobs Act (IIJA) authorizes surface transportation programs through Fiscal Year (FY) 2026. For the past year, BART has participated in conversations with local, regional, state, and national partners regarding principles for the next five-year reauthorization period beginning in FY 2027. BART will continue to advocate that funding levels for existing transit and passenger rail programs be maintained at levels no less than those approved under the BIL/IIJA, plus inflation. BART will also advocate for new formula funding to support transit operations and state of good repair capital investments.

In regard to programmatic changes, BART will advocate for policies favorable to the District such as exemptions from duplicative permitting requirements, more flexibility for states to program Federal Highway Administration (FHWA) funds for transit purposes, and modifications to the Transportation Infrastructure Finance and Innovation Act (TIFIA) and Railroad Rehabilitation & Improvement Financing (RRIF) credit assistance programs to improve eligibility and address administrative obstacles.

BART will also engage in national efforts to ensure public transit agencies have effective voting representation on Metropolitan Planning Organizations.

Annual Appropriations

BART will advocate for federal appropriations levels that are consistent with those authorized in the BIL/IIJA and that programs funded through advanced appropriations are not cut during negotiations between the two houses.

BART will also submit Community Project Funding/Congressionally Directed Spending requests to members of its federal delegation for FY 2027 appropriations to help fund capital improvement projects or potential pilot programs.

FIFA World Cup Funding

Public transit agencies, regional transportation authorities, and metropolitan planning organizations are preparing for the 2026 FIFA World Cup. While $625 million was allocated through H.R. 1 for security funding for the FIFA Host City committees, this funding does not address the pressing operational needs of public transit agencies, such as staffing, wayfinding, and expanded transit capacity.

Public transit agencies have been working with the Federal Transportation Administration (FTA) to provide a detailed breakdown of anticipated operational costs to meet the level of service requested by FIFA. A request has been submitted totaling $400 million in transit operations funding. Of this, BART requested a total of $18.3 million to support service and security enhancements and will continue to coordinate with host cities on a strategy to secure additional funding.

Transit Safety and Security

BART will continue to update federal stakeholders on the activities of the BART Police Department (BPD), including the Progressive Policing and Community Engagement Bureau, the impact of the Next Generation Fare Gates on public safety and fare evasion, and overall ridership recovery efforts.

As consistent with state law and BART policies, BART will support increased appropriations for the Transit Security Grant Program (TSGP) under the Federal Emergency Management Agency (FEMA) for cybersecurity initiatives and BPD's Critical Asset Patrol (CAP) Team's ongoing anti-terrorism efforts. BART will also pursue continuation of the Transportation Security Administration's (TSA) Visible Intermodal Protection and Response Program. BART will actively seek resources and technology investments that leverage our existing assets to sustain transit operations and improve our capability to detect, respond to, and recover from emergency incidents and natural disasters. This includes exploring innovative solutions for emergency response and disaster recovery efforts, which can provide rapid assessment and support during critical incidents.

Grants Advocacy, Eligibility, and New Programs

BART will engage its federal delegation and agency staff in support of grant applications to programs within the Department of Transportation (DOT), the Department of Justice (DOJ), FTA, and FEMA. BART will also work with state and federal partners to protect federal grants awarded to the California transit agencies or District from the threat of rescission.

The District will explore opportunities to improve BART's eligibility and competitiveness under existing and any potential new programs for priority projects, including traction power renewal, new facilities to maintain and store the Fleet of the Future, and elevator modernization. BART will advocate for expanded eligibility under the Federal Aviation Administration's (FAA) Airport Improvement Program to allow for transit improvements on airport property as well as federal grant programs that fund activities related to homelessness.

BART will also support federal funding and financial tools for active transportation projects and transit-oriented development (TOD).

2026 STATE ADVOCACY GOALS

State Financial Assistance for Transit

SB 105 (Chapter 104, Statutes of 2025) directed the California Department of Finance (DOF), in consultation with the California State Transportation Agency (CalSTA), to examine options to provide short-term financial assistance to BART, San Francisco Muni, AC Transit, and Caltrain. The DOF shall complete this process by January 10, 2026, in order for financing options to be included in the Governor's January budget proposal, thus allowing for early budget action by the Legislature in early 2026.

With a fiscal cliff set to hit in the beginning of FY 2027, BART will continue conversations with the DOF on potential loan terms that recognize the state's desire to see full repayment, a clearly defined repayment schedule, and a guaranteed repayment mechanism. BART will coordinate with its labor partners, peer agencies, and MTC (Metropolitan Transportation Commission) to leverage relationships within the Legislature and Administration to expedite action on a potential state loan, which will provide certainty in the upcoming budget planning process.

Regional Transportation Revenue Measure

SB 63 allows for a regional transportation measure to be placed on the November 2026 ballot through action by a new Public Transit Revenue Measure District or via a citizen's initiative. The bill also calls for several oversight and financial account provisions that BART and other agencies must implement prior to a measure passing. In the early part of 2026, BART will educate the Bay Area delegation of its work with MTC's third party consultant to comply with the bill's financial efficiency study and ongoing efforts to reduce costs, operate more efficiently, and grow ridership. BART will also engage in fact-based education on the impacts of not securing additional operations funding.

State Budget Advocacy and Transit Funding

Within the FY 2027 state budget process, BART will advocate that state transit funds, including those appropriated in SB 125 (Chapter 54, Statutes of 2023), are not eliminated, shifted, or otherwise used for non-transit purposes.

BART will also advocate to extend through FY 2029 statutory "hold harmless" provisions for calculating and allocating revenue-based State Transit Assistance (STA) funds as well as extend statutory relief from the Transportation Development Act's (TDA) farebox requirements. These provisions are set to end in FY 2026. An extension through FY 2029 would provide much needed stability to a critical funding source while BART seeks new sustainable revenues.

If the state's budget situation allows, BART will pursue member budget requests and work with legislators' offices to identify submissions that align with BART priorities, such as passenger safety and operational improvements.

Grants Advocacy, Eligibility, and New Programs

BART will engage its state delegation and agency staff in support of applications to various grant programs. BART will seek funding opportunities to address the District's backlog of state of good repair needs that are critical to sustaining safe and reliable service and stimulating ridership growth to meet the state's greenhouse gas emissions reduction goals.

The District will also explore opportunities to improve BART's eligibility and competitiveness under existing and any potential new grant programs to fund priority projects such as traction power renewal, new facilities to maintain and store the Fleet of the Future, modernized elevators to improve station accessibility, and the transition of BART's medium- and heavy-duty non-revenue vehicle fleet to zero-emission vehicles (ZEVs). BART will also pursue modifications to grant guidelines to address administrative challenges within programs such as the Affordable Housing and Sustainable Communities program (AHSC).

Transit Transformation Task Force and Ridership Recovery Efforts

SB 125 required the California State Transportation Agency (CalSTA) to convene a Transit Transformation Task Force and provide a report of findings and recommendations focused on growing transit ridership, improving the rider experience, and addressing long-term operational needs for transit. The Task Force provided a report to the Legislature in the fall of 2025 which recommended a multi-faceted approach that reforms TDA to move away from farebox recovery as a requirement, which would make existing funding sources more flexible, and to develop opportunities for new revenue sources. BART will partner with the California Transit Association (CTA) and other transit partners to advocate for long-term statutory and regulatory changes, short-term fixes to state funding programs, and enhanced value capture opportunities for transit agencies.

Additionally, BART will engage in state efforts to support downtown recovery and revitalization in order to continue growing transit ridership, including legislative initiatives that may come out of the Assembly Select Committee on Downtown Recovery.

Cap-and-Invest Program

As the Cap-and-Invest (formerly Cap-and-Trade) program was legislatively reauthorized last year through 2045, BART will continue to educate the Administration and Legislature as to the importance of programs that it utilizes, specifically AHSC, the Transit and Intercity Rail Capital Program (TIRCP), and the Low Carbon Transit Operations Program (LCTOP). These programs are included in Tier 3 of the program's new expenditure plan, meaning they are at risk of potential reductions if auction proceeds come in below the level set in the new Cap-and-Invest expenditure plan.

Also included in the new Cap-and-Invest expenditure plan is $1 billion annually for legislative priorities. BART will engage with the Legislature to create opportunities for transit amongst these legislatively appropriated funds. For example, $125 million for fare-free transit has been identified as a legislative priority for Fiscal Year 2027, and BART will work with CTA and MTC to ensure this pot of funds can be used for regional fare products such as Clipper

BayPass and other programs that ensure public transit is affordable and accessible.

Transit Worker and Rider Safety Initiatives

BART will engage in legislative efforts concerning transit worker and rider safety. This may include legislation regarding the authorization and expansion of license plate reader authority, expansion of prohibition order authority, and other tools to assist BPD in tracking crime, protecting our system, its workers and passengers.

BART will also continue to update the Legislature and Administration on activities of BPD, highlighting the work of the Progressive Policing and Community Engagement Bureau, and exploring opportunities for funding from the state to support BART's quality of life initiatives. This advocacy could include seeking eligibility for block grant funds the state receives under the federal Substance Abuse and Mental Health Services Agency's Projects for Assistance in Transition from Homelessness (PATH) grant program and the Encampment Resolution Funding (ERF) program.

Transit-Oriented Development

BART will support state legislation to incentivize housing and jobs near transit. This includes engaging in the development of technical clean-up language related to SB 79 (Chapter 512, Statutes of 2025) that may be introduced in the 2026 legislative session and any impact such language may have on BART's zoning authority pursuant to Assembly Bill (AB) 2923 (Chapter 1000, Statutes of 2018).

BART will also engage in efforts to expand financing options for TOD projects such as tax increment financing districts. The District will also support grant applications and other funding opportunities for housing developments built near our stations as well as infrastructure and station access improvements in preparation for TOD.

CEQA/Permitting Reform

After the successful passage of SB 71 (Chapter 742, Statutes of 2025), BART will engage in efforts to refine California Environmental Quality Act (CEQA) exemptions for transit projects and explore other opportunities for permitting reform. The goal of these efforts is to provide greater certainty to BART and other transit agencies in the development of project budgets and schedules in order to deliver projects that reduce vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions.

FISCAL IMPACT:

Funding to support the Federal and State Legislative Program is within the Government and Community Relations Department Fiscal Year 2026 operating budget and includes legislative advocacy agreements with The Picard Group, LLC (before November 1, 2025, CJ Lake, LLC) and California Strategies & Advocacy, LLC (Department 0604366, Account 681369 – Lobbying Expenses) totaling $444,000.

ALTERNATIVES:

The Board could amend or decline to support the 2026 Federal and State Legislative Advocacy Program.

RECOMMENDATION:

That the Board approve the following motion.

MOTION:

The Board approves the 2026 Federal and State Legislative Advocacy Program as presented by staff.