

AMENDED IN ASSEMBLY MARCH 24, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1778**

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**Introduced by Assembly Member Cristina Garcia**  
*(Coauthor: Assembly Member Lee)*

February 3, 2022

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An act to add Section 165.5 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1778, as amended, Cristina Garcia. State transportation funding: ~~freeway-widening: projects:~~ poverty and pollution: Department of Transportation.

Existing law establishes the Department of Transportation and vests the department with full possession and control of all state highways and all property and rights in property acquired for state highway purposes. Existing law authorizes the department to do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways that are under its jurisdiction, possession, or control. Existing law requires the department to prepare and submit to the Governor a proposed budget, as provided.

This bill would *require the department to consult the California Healthy Places Index, as defined, as a condition of using state funds or personnel time to fund or permit freeway projects, as provided. The bill would require the department to analyze housing and environmental variables through the index, as provided, and would prohibit any state funds or personnel time from being used to fund or permit freeway widening projects in areas with high rates of pollution and poverty. that*

*fall within the zero to 50th percentile on the housing and environmental variables analyzed through the index, as provided.*

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 165.5 is added to the Streets and  
2     Highways Code, to read:  
3     165.5. (a) For purposes of this section, the following  
4     definitions apply:  
5         (1) “California Healthy Places Index” means the online  
6     resource developed by the Public Health Alliance of Southern  
7     California to describe local factors that predict life expectancy  
8     and compare community conditions across the state.  
9         (2) “Projects” means any of the following:  
10        (A) Freeway widening projects.  
11        (B) Interchange expansion projects that would facilitate  
12     increased flows of traffic to or from existing or future industrial  
13     or warehouse facilities.  
14        (C) Freeway extensions or lengthening.  
15        (D) Displacement, of any kind, of residents, residences, housing,  
16     or businesses occurring due to freeway projects, whether  
17     temporary or permanent.  
18     (b) Notwithstanding any other law, before undertaking any  
19     projects, and as a condition of using state funds or personnel time  
20     to fund or permit projects, the department shall consult the  
21     California Healthy Places Index. The department shall use the  
22     “create custom score” functionality of the California Healthy  
23     Places Index and use the following variables to obtain data results:  
24         (1) Housing: low-income homeowner severe housing cost  
25     burden.  
26         (2) Housing: low-income renter severe housing cost burden.  
27         (3) Clean environment: clean air PM 2.5.  
28         (4) Clean environment: clean air diesel PM.  
29     (c) Notwithstanding any other law, the department shall not use  
30     state funds or personnel time for projects, nor shall the department  
31     permit projects, if any single or adjacent census tract within or  
32     adjacent to the project area has a percentile score that falls within  
33     the zero to 50th percentile score on the California Healthy Places

1 *Index, as calculated using the four variables described in*  
2 *paragraphs (1) to (4), inclusive, of subdivision (b).*

3 ~~SECTION 1. Section 165.5 is added to the Streets and~~  
4 ~~Highways Code, to read:~~

5 ~~165.5. Notwithstanding any other law, state funds or personnel~~  
6 ~~time shall not be used to fund or permit freeway widening projects~~  
7 ~~in areas with high rates of pollution and poverty.~~

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10 **REVISIONS:**

11 **Heading—Line 2**

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