



AB 98 (2024): Legislative Clean Up Priorities

- 1. Ensure there is flexibility for local governments to realistically meet the circulation element update requirements**
 - A. Amend Government Code Section 65098.1 and Section 65302.02 to modify the circulation element update to allow a local government to meet the requirements through a local plan or ordinance with the same standards
 - *This would create flexibility to meet the circulation element requirements*
 - B. Amend Government Code Section 65098.1 and 65302.02 to remove the circulation element update if a local government does not have any proposed new or expanded logistic use development
 - C. Amend Government Code Section 65098.1 to clarify the circulation element requirements are non-substantive to prevent the mobility requirements from being triggered in this specific update
 - *This aims to prevent the principles of the Federal Highway Administration's Safe System Approach and development of bicycle plans from being included in the AB 98 circulation element update, which is triggered by "any substantive revision of the circulation element on or after January 1, 2025." [65302(b)(2)(B)] [For reference from SB 932 (2022)]*
 - D. Amend Government Code Section 65098.1 to allow additional time for the circulation element update for smaller cities and counties
 - *Counties with populations with less than 100,000, including each city within that county, is exempt from the circulation element update*
 - *Counties with populations of 100,000 to 600,000, including each city within that county, have delayed implementation of the circulation element update to January 2030*
 - 2. Clarify in Government Code Section 65302.02 that penalties for violating the circulation element updates are only if local agencies have not made good faith effort**
 - 3. Revise Government Code Section 65098.2.7 and Section 65302.02(b)(3) to ensure accessibility of local roads to avoid the unintended consequence of preventing industrial development on rural lands**
 - 4. Support clarification to Government Code Section 65098.1.5 regarding land use authority in the grandfather clause**
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Please contact Cal Cities Environmental Quality Legislative Advocate Melissa Sparks-Kranz at msparkskranz@calcities.org or 916-658-8232 or CSAC Housing, Land Use, and Transportation Legislative Advocate Mark Neuburger at mneuburger@counties.org or 916-591-2764 for follow up questions.