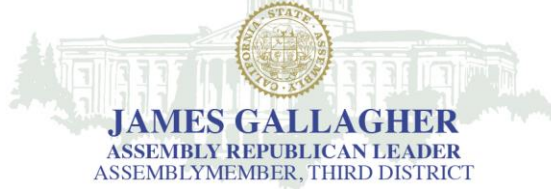


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September 13, 2022

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: Recommended Veto of AB 2438 (Friedman, L)

Dear Governor Newsom:

I respectfully request a veto of Assembly Bill 2438, which passed the Assembly on 8/30/2022 by a vote of 47 to 21, with 19 members of the Assembly Republican Caucus voting "No."

AB 2438 requires state funding for transportation projects to align with the state's climate goals. This will prohibit any state highway project that improves conditions for motorists, because these projects fail to reduce vehicle trips. The only projects eligible for funding will be those that decrease vehicle miles traveled (VMT), such as removing vehicle lanes and adding bicycle, pedestrian, or transit facilities.

AB 2438 ignores the reality that many Californians still need to drive. For residents of rural communities and "super" commuters forced to live hours from work due to the state's housing crisis, there is no option to walk, bike, or take transit. AB 2438 siphons money from these communities and the infrastructure they rely on. As a result, Californians will continue to pay the highest gas tax in the country to drive on some of the nation's worst and most congested roads.

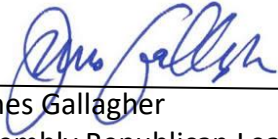
When the state increased fuel and vehicle taxes by more than \$5 billion annually in 2017, voters were promised that the money would be used to fix broken roads. AB 2438 violates this promise and shifts road money to fund alternatives to driving. The impact of these taxes falls disproportionately on the state's poorest residents, while the benefits will be realized by affluent communities with short commutes and good access to transit.

AB 2438 will also have severe unintended consequences for the safety and operation of California's transportation system. The bill will prevent necessary safety improvements for roads and bridges because many such projects have the prohibited effect of improving traffic flow. It will also require projects to intentionally worsen traffic in congested corridors as the

only possible strategy for decreasing VMT. These impacts will slow the movement of goods. This will harm the state's economy and critical sectors, such as agriculture, that rely on an efficient supply chain.

For the reasons stated above, I respectfully request that you veto Assembly Bill 2438.

Sincerely,



James Gallagher
Assembly Republican Leader