Policy Rundown

For ITS America Advocacy Trust and Innovation Trust

Federal Administration Policy and Regulatory News

Vehicle-to-Vehicle Communications at a crossroads - ITS America call for members to join Connected Vehicle Task Force

Following up from ITS America’s meetings (as founding member of the Safety Spectrum Coalition) with the White House National Economic Council Staff (Grace Koh, Special Assistant to the President for Technology, Telecom, and Cyber-Security Policy, and DJ Gribbin, Special Assistant to the President for Infrastructure Policy), the Association will form a task force this month to address some of the concerns the Administration (both at the White House and the Office of Secretary of Transportation) has communicated to ITS America regarding the feasibility of a Federal Standard Motor Vehicle Safety Standard (FMVSS) for Vehicle-to-Vehicle Communications.

Concerns were expressed over not just the spectrum sharing rulemaking before the FCC, but also the NHTSA purported “absence” of complete V2V “performance-based” standard. NHTSA generally regulates by developing performance standards for specific vehicle systems to address a specific type of safety risk. Although performance standards are highlighted FMVSS, these standards are specific to DSRC only for two reasons: 1) DSRC standards are the only V2V standards fully developed to date and 2) DSRC based V2V as developed by automakers is the only technology that has been operationally tested and evaluated. A V2V “performance-based” standard would also allow other

ITS America supports the mandate of V2V in vehicles and a “performance based” standard. All ITS America automaker members supported V2V mandate (ITS America comments to
NHTSA on V2V 2017). General Motors “generally supports the proposed FMVSS equipment mandate...has some specific concerns.” Toyota stated that - “a mandate is an effective way to accelerate the benefits.” Honda supports the concept of a universal mandate that requires ..”all new on-road passenger vehicles be equipped with DSRC enabled V2V communication technology...” Of eight automakers, only one opposed the setting of a V2V FMVSS.

Board member submissions include the following.

- Toyota (Toyota NHTSA Comments V2V 2017), Ms. Jade Nobles
- General Motors (GM NHTSA Comments V2V 2017) Mr. John Capp
- Verizon (Verizon NHTSA Comments V2V 2017) Ms. Melissa Tye
- Utah (Utah DOT NHTSA Comments V2V 2017) Mr. Carlos Braceras
- Qualcomm (Qualcomm Comments V2V 2017) Ms. Alice Tornquist
- AAA (AAA NHTSA V2V Comments V2V 2017) Ms. Jill Ingrassia

ITS America already committed to the Office to Secretary in our March Fly-in to work out new regulatory requirements (such as the OMB “two-for-one requirement on any new regulations etc..”) and the Task Force will begin the process of building consensus around an approach designed to complete the V2V federal standard. Contact Steven Bayless, VP for Public Policy and Regulatory Affairs at 202-721-4229 if you’d like to participate in the V2X task force.

**FY2017 Omnibus is a Win for Transportation**

On Friday, May 5, 2017, President Trump signed a $1.2 trillion Omnibus Appropriations bill that provides funding for the federal government through September 30. The Transportation, Housing and Urban Development and Related Agencies Appropriations of the Omnibus is a win for transportation. It maintains a federal commitment to fund transportation across modes and includes funding for innovative programs such as the TIGER. The Omnibus is consistent with authorized levels for FAST Act.

Here is a summary of funding levels for programs that are critical to the deployment of surface intelligent transportation solutions:
• Federal Highway Administration: $44 billion
• Federal Transit Administration: $12.4 billion (rejects Administration’s proposal to cut Capital Investment Grants)
• National Highway Traffic Safety Administration: $911 million
• Federal Motor Carrier Safety Administration: $644 million
• TIGER Grants: $500 million (rejects Administration’s proposal to eliminate this program)
• Intelligent Transportation Systems: $100 million
• Technology and Innovation Deployment Program: $67.5 million
• Advance Transportation and Congestion Management Technologies Deployment: $60 million
• Surface Transportation Systems Funding Alternatives Program: $20 million
• National Surface Transportation and Innovation Finance Bureau: $3 million

Other Transportation Program Highlights

• Federal Aviation Administration: $16.4 billion (includes $40 million to support integration of Unmanned Aircraft Systems)
• Federal Railroad Administration: $1.85 billion (rejects Administration’s proposal to cut funding for long distance trains)

Takeaways from Senate Hearing on Infrastructure Project Streamlining

On Wednesday, May 3, 2017, the Senate Committee on Environment and Public Works held a hearing entitled “Infrastructure Project Streamlining and Efficiency: Achieving Faster, Better, and Cheaper Results.” Here are the key takeaways from the hearing:

“One of our committee’s top priorities right now should be oversight to make sure that the existing [MAP-21 and FAST Act] streamlining measures are implemented fully and effectively,” said Senator Tom Carper (D-DE), Ranking Member, Senator Committee on Environment and Public Works. “Moreover, adopting new measures at this juncture could well perform a dis-service to project delivery by delaying implementation of the new authorities from MAP-21 and FAST Act.”

“The most important action Congress can undertake to accelerate project delivery is to provide steady, long-term,
and predictable funding,” said John Porcari, former U.S. Department of Transportation Deputy Secretary, Interim Executive Director of the Gateway Program Development Corporation, and President of the US Advisory Services at WSP | Parsons Brinckerhoff. “The environmental process as it stands today, if done right, can result in high-quality projects, informed by substantive public engagement and reflecting the needs and desires of the people the projects serve.”

"Public-Private Partnerships (P3s) and other approaches to infrastructure investment that depend on a positive revenue stream from a project are not a surface transportation infrastructure solution for rural states,” said William T. Panos, Director, Wyoming Department of Transportation. “Using the current predominantly formula-based FAST Act approach to distribution would ensure that both rural and urban States participate in the [Trump infrastructure] initiative.”

“High-level opportunities for improving the efficiency of the environmental review and permitting processes rest in the ability of Congress to merge sequential and duplicative federal environmental reviews,” Leah F. Pilconis, Senior Environmental Law & Policy Advisor, The Associated General Contractors of America.

**Bill Repealing MPO Rule Sent to the President**

On May 2, 2017, the Congress sent to the President S. 496, a bill that would repeal a December 2016 final rule from the U.S. Department of Transportation that would have forced many local Metropolitan Planning Organizations (MPOs) in the same region to merge. The House passed the repeal 417 to 3 on April 27, 2017. The Senate passed the repeal bill by Unanimous Consent on March 8, 2017.

**Legislation Passes Congress to Give Federal Employees Additional Travel Options**

On May 2, 2017, the Senate passed—by unanimous consent—H.R. 274, the “Modernizing Government Travel Act,” which would require the General Services Administration (GSA) to implement regulations allowing federal employees to use alternative transportation options such as Uber, Lyft, and bike-share for official travel. The legislation previously passed the House by voice vote on January 10, 2017. The legislation now heads to President Trump for his signature.
H.R. 274, if signed into law by President Trump, would codify previous guidance issued by GSA that directed agencies to permit their employees to expense these types of travel expenses.

**Senate Hearing on Reducing Broadband Barriers**

On Wednesday, May 3, 2017, the Senate Committee on Commerce, Science, and Transportation convened a hearing titled “Investing in America’s Broadband Infrastructure: Exploring Ways to Reduce Barriers to Deployment.” This hearing explored solutions to streamline broadband deployment and infrastructure, and how to encourage private investment in next-generation telecommunications services. Here are the takeaways:

“The geographic reach of satellite systems (low-Earth orbit satellite broadband) may obviate the need to build out the so-called “last mile” that, due to costs, environmental regulations, property rights issues, and other regulatory obstacles, starves so many communities of reliable, quality internet access.” – Space Exploration Technologies Corp. (SPACEX)

“It is essential that we fully embrace a “Dig Once” rule, requiring installation of conduits for broadband equipment whenever roads are being dug up for any reason.” – Georgetown Center for Business and Public Policy

“Congress could go further [to eliminating broadband barriers], particularly as it considers comprehensive infrastructure legislation, to ensure that federal transportation dollars and other federal funding programs are not restricted in a way that prohibits the inclusion of conduit or dark fiber in state and local government projects.” – Wilton Manors, Florida

An infrastructure bill should include “funding [for] large-scale national pilot projects for smart cities that focus on integrating multiple smart city applications with scalable and replicable solutions.” – Nokia Corporation

**Comments to House Subcommittee Digital Commerce and Consumer Protection Draft AV Bills Due Thursday, May 11**

ITS America request Advocacy Trust and Innovation Trust to submit their comments to the 16 House Committee on Energy
and Commerce Subcommittee on Digital Commerce and Consumer Protection draft bills designed to facilitate the development, testing, and deployment of self-driving cars by Thursday, May 11, 2017. ITS America discussed the draft bills on conference calls last month and will be turning in our comments to the Subcommittee next week. Please email your comments to Ron Thaniel, Vice President for Legislative Affairs, at rthaniel@itsa.org.

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