Policy Rundown

For ITS America Advocacy Trust and Innovation Trust

ITS America in the News

Regina Hopper on C-SPAN and The Hill

ITS America is receiving significant media coverage. In just the last week, President & CEO Regina Hopper was a guest on C-SPAN’s prestigious Washington Journal morning news broadcast, answering questions from the host and taking calls from all across America.

Regina and National Safety Council President & CEO Deborah Hersman also shared a byline on an Op/Ed in The Hill a widely read Washington D.C. print and online publication, concerning the need to preserve the 5.9 GHz Safety Spectrum for wireless communication. ITS America and the National Safety Council are active members of the Safety Spectrum Coalition.

Federal Administration Policy and Regulatory News

USDOT Begins Regulatory Reform Efforts

USDOT Deputy Secretary Jeffrey Rosen would serve as the Department’s Regulatory Reform Officer and lead the agencies Regulatory Reform Task Force (RRTF). The RRTF was formed earlier this year in accordance with White House Executive Order 13777, which directs each federal agency to establish an RRTF to make recommendations to alleviate unnecessary regulatory burdens. Recommendations will include offsetting the
number and cost of new regulations and review of past regulations that inhibit job creation; are outdated, unnecessary, or ineffective; or impose costs that exceed benefits

Current new or regulations that ITS America has commented upon or otherwise monitored include Automated Vehicle Policy, Vehicle-to-Vehicle Federal Standard, Mobile Device Driver Distraction Guidelines Vehicle-to-Infrastructure guidance, (see Transportation Performance Management Measures (see below) and other items

**FHWA Final Rule on Transportation Management Performance Enacted**

On May 20, the [FHWA final rulemaking on national performance measures](https://www.fhwa.dot.gov/infrastructure/transportationdelivery/performancemeasures/index.htm) (Docket No. FHWA-2013-0054) will take effect. Certain portions of the rule pertaining to the measure on the percent change in CO2 emissions from 2017, generated by on-road mobile sources on the National Highway System (the Global Greenhouse Gas [GHG] measure) are not enacted. While the published rule includes a GHG measure, the effective date of the portions of the final rule pertaining to that measure has been delayed indefinitely. The FHWA will be publishing a NPRM in the Federal Register pertaining to this measure.

States shall set performance targets within [1-year of the effective date of the DOT final rule](https://www.fhwa.dot.gov/infrastructure/transportationdelivery/performancemeasures/index.htm) on performance measures for particular performance areas, with Metropolitan Planning Organizations (MPOs) setting performance targets not later than 180-days after the State or public transportation provider establishes their targets. Governors may establish Rural Transportation Planning Organizations (RTPOs)

Recipients of Federal-aid highway funds will make transportation investments to achieve performance targets in safety, infrastructure condition, congestion reduction, system reliability, freight movement, environmental sustainability, and reduced project delivery delays. Prior to MAP-21, there were no explicit requirements for State DOTs to demonstrate how their transportation program supported national performance
outcomes. State DOTs were not required to measure condition or performance, establish targets, assess progress toward targets, or report on condition or performance in a nationally consistent manner that FHWA could use to assess the entire system.

System Performance/Freight/CMAQ Performance Measures webinar on is June 1. University of Maryland CATT Lab, an advocacy trust member, has been supporting states in performance measure tools and dashboards to States to help them understand the local implications of each requirement under consideration.

Legislative News

Next Stop for the Budget: A Very Tight Appropriations Calendar

On May 23, 2017, President Trump submitted his FY18 budget request to Congress, which started an unusually tight appropriations calendar, but statements from the Hill are clear that the process will not start with the Trump budget. Appropriators routinely set aside the President’s budget request, and instead start with the current budget. If appropriators keep this practice, the process will start with the FY17 Omnibus Appropriations that passed Congress with bipartisan support earlier this month, and rejected calls by the Trump Administration to eliminate or cut funding for popular transportation programs including TIGER, transit, Amtrak, and commercial air service for rural communities.

Under the regular order of Capitol Hill, all 12 appropriations bills are supposed to be signed by the President on October 1, which hardly ever happens, which results in continuing resolutions to avoid a federal government shutdown. This year will be even more challenging. After the Memorial Day recess, Congress will return with the daunting task of drafting the FY18 appropriations bills. The reason this is daunting is the compressed calendar. Under the regular order of Capitol Hill, the President submits his budget by the first Monday in February, Congress completes a budget resolution by April 15, and the House and Senate Appropriations
Committees start their work at a Subcommittee level in early May. Transportation programs fall under the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies.

Reports are that the House leadership is considering a difficult task of drafting and placing all 12 appropriations bills into an Omnibus spending bill by the start of the August recess. While this longshot strategy might work in the House, it is unlikely that this approach would work in the Senate, as Senate Republicans would struggle to reach an agreement with Senate Democrats. Spending bills in the Senate require 60 votes, which gives Democrats the ability to block a bill that they view as too conservative or include Trump Administration budget priorities that they do not support. In fact, reports are that conservatives in the House are looking at proposals in the Trump budget that would shrink the federal government. Some staffers on the Hill are saying that the budget resolution will not pass until the end of June, which would mean appropriators would only get started in July, and with Congress in recess for all of August, at best, they do not expect appropriations bills to be passed until December.

High-Level Numbers for the Trump FY18 Transportation Budget Request Versus the FY17 Omnibus Enacted Budget

**Federal Highway Administration**

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Amtrak’s Long Distance Train Service]
National Highway Traffic Safety Administration
FY17 Enacted $911.3
FY18 Trump Budget $899.1

Federal Motor Carrier Safety Administration
FY17 Enacted $644.2
FY18 Trump Budget $657.8

Office of the Secretary
FY17 Enacted $948.0
FY18 Trump Budget $278.0 [$500.0 eliminates TIGER grant program]

Walden and Blackburn Announce Staff Additions to Subcommittee on Communications and Technology

House Committee on Energy and Commerce Committee Chairman Greg Walden (R-OR) and Subcommittee on Communications and Technology Subcommittee Chairman Marsha Blackburn (R-TN) announced on Friday, May 26, 2017, the following staff announcements for the Communications and Technology Subcommittee.

Robin C. Colwell, Chief Counsel, Subcommittee on Communications and Technology
Colwell will serve as Chief Counsel for the Subcommittee on Communications and Technology beginning in July. She has served as FCC Commissioner Mike O’Rielly’s Chief of Staff and Senior Legal Advisor since December of 2014. Prior to that Robin served as a Legislative Counsel for Senator Tim Scott (R-SC) and as a Counsel at the Senate Committee on Commerce, Science & Transportation’s Subcommittee on Tourism, Competitiveness, and Innovation.

Timothy J. Kurth, Senior Professional Staff, Subcommittee on Communications and Technology
Kurth returns to Capitol Hill after a career in the private sector. Kurth worked in Congress from 1995 - 2004, including as the senior advisor on technology and telecommunications issues for the Speaker of the House, Congressman J. Dennis Hastert (R-IL), and prior to that as Hastert’s legislative assistant during his time on the House Commerce Committee.
State Policy Developments

**WI Gov. Walker Signs Executive Order Creating Governor’s Steering Committee on Autonomous and Connected Vehicle Testing and Deployment**

Earlier this month, Wisconsin Governor Scott Walker (R) announced the issuance of Executive Order #245 creating the Governor’s Steering Committee on Autonomous and Connected Vehicle Testing and Deployment, which will advise the Governor on how to best advance the testing and operation of automated vehicles in Wisconsin. The Steering Committee, chaired by the Secretary of the Department of Transportation or his designee, will include 19 representatives from key stakeholders including state government and university officials, state and local law enforcement, connected and autonomous vehicle companies, and other industry groups. The Department of Transportation, with assistance from other state agencies, shall produce a final report containing the Steering Committee’s findings and recommendations and submit that report to the Governor no later than June 30, 2018.

**Wisconsin Considering Legislation Allowing Autonomous Delivery Robots**

Earlier this month, the Wisconsin State Senate and Assembly passed Senate Bill 148—legislation creating a regulatory framework for personal delivery devices (PDDs)—by voice vote and a vote of 97-0, respectively. The legislation now is reportedly awaiting signature by Wisconsin Governor Scott Walker (R). According to news reports, the legislation creates “a definition for PDDs in Wisconsin’s transportation statutes, and establishes standards like limiting top speeds to 10 miles per hour. It also lays out right of way and other rules for the device as it navigates sidewalks.”

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