Federal Administration Policy and Regulatory News

White House Finally Releases Legislative Outline

As a follow up to the State of the Union speech, the White House released its legislative outline on infrastructure, wanting to revamp how such projects are funded and approved. The administration sees its plan as the opening bid in a negotiation on the best way to meet the president’s four objectives: stimulating at least $1.5 trillion in new investment, shortening the project permitting time to two years, investing in rural projects, and better training for more qualified workers.

The plan calls for allocating $200 billion in federal funds over a decade, mostly as seed money to spur states, localities and the private sector to spend the balance of the promised investment. The White House is circulating a draft memo to 17 federal agencies that would speed up the time it takes to secure environmental permits for infrastructure projects.

ITS America’s Smart Infrastructure Task Force, chaired by Tina Quigley of Nevada RTC, reviewed the White House outline and obtained feedback from members on the major components. Congress will begin to consider the proposal shortly, with the most controversial part of the proposal being how to pay for it. (See Legislative Affairs section)

In a response to the White House Proposal, Shailen Bhatt, President and CEO of ITS America, stated: “Technology requires special attention. Road Infrastructure is static and long-lived, but transportation technology must adapt and
change, and investment and partnership strategies must reflect that. We need unique solutions to address this in any new infrastructure effort. I’m excited to see our smart infrastructure task force taking on this challenge.”

The Transformative Projects Program as the most focused program on technology (Total $10B). This program would provide Federal funding and technical assistance for bold, innovative, and transformative infrastructure projects that could dramatically improve infrastructure. This is a competitive grant program run out of the Commerce Department with input from other agencies. Other programs also of interest are the Incentives Program (Total $100B) and the Rural Program (Total $50B).

**USDOT Plans for Automated Vehicle 3.0 Shaping Up**

On March 1, 2018, the USDOT will host an [Automated Vehicle 3.0 Public Meeting](#) from 1:00 to 4:30 pm EST at USDOT Headquarters. Shailen Bhatt will be representing ITS America at this event. ITS America will also be participating in a national dialogue on automated vehicles in partnership with the Federal Highway Administration, with more details to follow.

**Legislative News**

**ITS America Infrastructure Bill Advocacy Day, Smart Cities & Smart States Roundtable: March 21, 2018**

President Trump released his infrastructure principles on Monday, February 12, 2018. With the introduction of the principles, Congress will begin hearings and the process of drafting legislation. The time is ripe to make our collective voice heard in Washington. ITSA’s Policy Team has scheduled an Advocacy Day on March 21st, the day before the Board meeting, to take advantage of having ITSA’s leadership in Washington, DC, to meet with Members of Congress and the Administration to promote our technology-focused infrastructure bill priorities.

The day will start at 8:30 a.m. with a breakfast and preparation for meetings on Capitol Hill and with the Administration. Meetings have been confirmed with transportation and
technology leaders including U.S. Senator Tom Carper (D-DE), Ranking Member, Senate Committee on Environment and Public Works, Representative Sam Graves (R-MO), Chairman, House Subcommittee on Highways and Transit, Committee on Transportation and Infrastructure, among others. In addition to the meetings on the Hill and with the Administration, ITSA will host an exciting Smart Cities and Smart States lunch roundtable that will showcase the latest technologies and trends that cities, MPOs, states, and the private sector are deploying to build transportation infrastructure that will ensure that the U.S. is competitive in an increasingly global economy.

Please respond to ITSA Chief of Staff Laura Chace at 202-721-4205 or lchace@itsa.org or Vice President of Legislative Affairs Ron Thaniel at 202-721-4226 or rthaniel@itsa.org with your attendance.

Congress Reacts to White House Infrastructure Proposal

With the release of the long-awaited White House infrastructure plan, ITS America has compiled reactions from Senate and House transportation and technology leaders. Read more here.

Senate Hearing on Trump Infrastructure Plan: March 1, 2018

The Senate Committee on Environment and Public Works will convene a hearing with U.S. Department of Transportation Secretary Elaine Chao to discuss President Trump's infrastructure plan on Thursday, March 1, 2018 (time TBD). The hearing webcast will be available at https://www.epw.senate.gov/public/

White House Requesting $16 Billion in FY18 Omnibus for Infrastructure Plan

The White House is requesting $16 billion in funding for the Trump Infrastructure Plan in an omnibus spending bill for the fiscal year 2018. The White House document states “given the high priority of this effort (infrastructure initiative), and the recently announced two-year budget deal, the Administration is seeking initial funding in the appropriations process to kick-start the incentives and rural grant proposals, to allow communities to compete for funds and begin needed improvements now.” The White House is requesting $11 billion
for the incentives program and $5 billion for the rural program in 2018.

**House Transportation Committee Submits Views and Estimates Budget Committee**

The House Committee on Transportation and Infrastructure submitted to the House Committee on Budget their Fiscal Year 2019 Budget Views and Estimates. Priorities include reauthorizing the air transportation programs, the Federal Emergency Management Agency (FEMA), and the U.S. Coast Guard, Federal Maritime Commission, and the John F. Kennedy Center for the Performing Arts; reforming the General Services Administration and advancing a Water Resources Development Act.

The Views and Estimates state that priorities must be guided by technological solutions and innovation. Although surface transportation law (FAST Act) was not listed among the priorities largely because the FAST Act authorizes funding for surface transportation infrastructure for fiscal years 2016 – 2020, the Views and Estimates states that the “Committee (Transportation and Infrastructure) will continue to monitor the implementation of the programs, policies, and funding authorized in the FAST Act.” The documents also state that the Committee requests that the budget resolution reflect authorized funding levels of the FAST Act.

Under current law and House rules, standing committees are required to submit their views and estimates to the Committee on the Budget identifying the legislative priorities for that committee. [Read more here.]

**Snapshot of FAST Act’s Technology Operational Testing and Deployment Programs**

With the White House infrastructure plan proposing new infrastructure programs, ITS America thought it would be useful to provide a snapshot of FAST Act’s technology operational testing and deployment programs. The FAST Act clarified that ITS improvements, in particular, vehicle-to-infrastructure (V2I) technology, are eligible uses of most highway programs. [Read more here.]

**House NHTSA Oversight Hearing Key Takeaways: No Timeline for V2V Final Rule, Tech Neutrality for Vehicle Safety Spectrum**
At the House Subcommittee on Digital Commerce and Consumer Protection National Highway Traffic Safety Administration (NHTSA) oversight hearing on February 14, 2018, Deputy Administrator Heidi King would not give a specific timeline for when the Vehicle-to-Vehicle (V2V) Final Rule would be issued and took a firm neutral position on V2V technology. Responding to Rep. Joe Kennedy III (D-MA) on the timeline for V2V Final Rule, King shared an enthusiasm for the safety benefits that vehicle-to-vehicle technologies bring, however, she refused to give a specific timetable for the final rule. King also said that NHTSA doesn’t “pick winners and losers” between DSRC and 5G technologies but “certainly hope that the dedicated spectrum will, in fact, be reserved and applied to vehicle safety technologies.”

**Senate AV Legislation Moves Forward**

The Senate AV bill, entitled S. 1885, “American Vision for Safer Transportation through Advancement of Revolutionary Technologies Act” or the “AV START Act” continues to move towards full Senate action despite reports that the legislation has stalled. ITS America held conversations this week with Senate Committee on Commerce, Science, and Transportation top staff, and was told that the hotline process is continuing to see if the bill could pass under unanimous consent. Also, we were told that Committee Chairman John Thune (R-SD) had asked Senate Majority Leader Mitch McConnell for Floor time. While several holds have been placed on the bill, which is not unusual in the Senate, the Committee staff are optimistic that the legislation will pass the full Senate, which would then set in motion conference discussions with the House. ITS America supports passage of the AV START Act in the Senate.

**Walden Announces Mike Bloomquist as E&C Staff Director**

House Energy and Commerce Committee Chairman Greg Walden (R-OR) announced on February 12, 2018, Mike Bloomquist, currently the committee’s Deputy Staff Director, will be named Staff Director effective immediately. The committee’s previous Staff Director Ray Baum passed away on February 9, 2018, after a years-long battle with cancer. [Read more here.](#)
Energy and Commerce Committee Chairman Greg Walden (R-OR) released on February 9, 2018, the below statement following the passing of his longtime friend and committee Staff Director Ray Baum:

“Today, the entire Energy and Commerce Committee mourns the loss of our good friend and Staff Director Ray Baum. After many years fighting cancer, Ray passed peacefully this morning surrounded by his loving family. Ray and I became fast friends nearly 30 years ago while serving in the Oregon state legislature. Ray followed me as House Majority Leader and went on to serve on the Oregon Liquor Control Commission, and the Oregon Public Utility Commission where, as the lone Republican, he was named Chairman. When I became chairman of the Subcommittee on Telecommunications and the Internet, Ray came back to Washington to work for the Energy and Commerce Committee as Senior Policy Advisor.”

Read more here.

State and Local Policy

Washington, DC Mayor Bowser Announces AV Working Group and RFI for AV Pilot Program

On February 12, 2018, Washington, DC Mayor Muriel Bowser announced the formation of an Interagency AV Working Group to proactively prepare the District for AV technologies and ensure that AV deployment will benefit District residents and visitors. The working group is comprised of District agencies focused on transportation, disability rights, environmental issues, and public safety. Additionally, the Mayor announced a partnership with the Southwest Business Improvement District (SWBID) to release a Request for Information (RFI) for a AV pilot program for a “first-mile, last-mile” autonomous vehicle pilot program along 10th Street, SW, adjacent to L'Enfant Plaza.

Virginia House Passes Bill Barring Use of Handheld Communications Devices While Driving

On February 13, 2018, the Virginia House of Delegates passed HB 181, a bill declaring that any person who drives a motor
vehicle on any highway while using a handheld personal communications device where such use substantially diverts the driver's attention from the operation of the motor vehicle is guilty of distracted driving. Current law prohibits only the reading of an email or text message on the device and manually entering letters or text in the device as a means of communication. The bill provides that distracted driving is punishable as a traffic infraction with a fine of not more than $500 and a mandatory minimum fine of $250 if the violation occurs in a highway work zone. HB 181 initially failed by a vote of 47-53. After a Motion to Reconsider was agreed to by the House, the bill passed 50-47. Apparently, some lawmakers felt the bill was too broad. Now, the bill heads to the Virginia Senate where it has been referred to the Committee of Courts of Justice.

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