Federal Administration Policy and Regulatory News

National Transportation Safety Board Begins Investigation of Uber Crash in Arizona

Wei Huang, 38, died March 23 when his Tesla vehicle using the driver-assistance system Autopilot crashed into a highway barrier in Mountain View, California, and caught fire. Computer logs Tesla recovered from the vehicle showed the driver did not have his hands on the steering wheel for six seconds before the crash.

The U.S. National Transportation Safety Board (NTSB) sent investigators to examine issues raised by the accident, including the post-crash fire and steps needed to make the vehicle safe to remove from an accident scene. Tesla Autopilot systems would likely be classified as a SAE Level 3 automated system, whereas “highly automated” systems from Wayne, GM and others do not conditionally rely upon driver supervision.

The NTSB later stripped the carmaker of its role in the investigation, stating the company failed to adhere to an agreement not to disclose information while the probe was underway. Tesla responded by saying it would make “an official complaint to Congress” about the agency.

The collision occurred days after an Uber Technologies Inc. self-driving test vehicle killed a pedestrian in Arizona, the most significant incident involving high-level automated
vehicle since a Tesla autopilot crash in May 2016 that resulted in the death of the driver.

**FTA Announces $264 Million in Federal Transit Grants**

On April 5, the U.S. Department of Transportation's Federal Transit Administration (FTA) announced approximately $264 million in project selections to improve the safety and reliability of America's bus systems and enhance mobility for transit riders across the country. A total of 139 projects in 52 states and territories will receive funding from FTA's Buses and Bus Facilities Infrastructure Investment Program. A list of the selected projects is available online. ITS America members Caltrans, Colorado DOT, Michigan DOT, Regional Transportation Commission of Southern Nevada (RTC), and PennDOT all received grants.

**NHTSA / Virginia Tech Hold Meeting on Federal Motor Vehicle Safety Standards (FMVSS)**

ITS America member Virginia Tech held a public meeting on April 3rd and 4th at USDOT to research and identify potential barriers for self-certification and compliance verification of innovative new vehicle designs precipitated by Automated Driving System (ADS). The goal was to understand potential “technical translations” of FMVSS, such as when standards cite ADS equipped vehicles without conventional user interfaces such as a steering wheel or brakes. The research also examines four different ADS designs: first generation ADS, Low Speed ADS, “transitional” systems and “revolutionary”ADS. The core research team includes ITS America members VTII, GM and SwRI, with peer review conducted by ITS America members Apple, Peleton, Volkswagen, Global Automakers, the Auto Alliance, and the Society of Automotive Engineers.

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**Legislative News**

**Shuster Announces Departure of Committee Staff Director & Additional Senior Staff Changes**
Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) **announced on April 12** that Committee Staff Director Matt Sturges is leaving to join the Federal Railroad Administration (FRA) as Deputy Administrator. Also, Shuster announced the promotions of Chris Vieson to Staff Director and Geoff Gosselin to the position of Deputy Staff Director.

**Chao Testifies Before House and Senate Appropriations Subcommittees on FY19 Department of Transportation Budget: Appropriators Reject Cuts**

U.S. Department of Transportation Secretary Elaine Chao presented President Trump's FY19 funding request on Wednesday, April 11, before the Senate Appropriations Committee on Transportation, Housing and Urban Development, and Related Agencies Subcommittee, and on Thursday, April 12, before the House Appropriations Committee Transportation, Housing and Urban Development, and Related Agencies Subcommittee. Here are the key points from her testimony:

The Budget requests $76.8 billion to support transportation programs in FY19, which is a $4 billion increase in the Department's mandatory programs. This includes the $57.4 billion proposed for surface transportation programs, as authorized by the Fixing America's Surface Transportation (FAST) Act.

The President's Budget includes $200 billion over 10 years for the Trump Infrastructure Plan that according to the Administration, will leverage state, local, and private investment resulting in at least $1.5 trillion of new infrastructure investment.

The Budget does not include funding for Federal Transit Administration's Capital Investment Grants Program, which is the grant program for funding major transit capital investments, including heavy rail, commuter rail, light rail, streetcars, and bus rapid transit. The budget limits funding to projects with signed, Full Funding Grant Agreements.

The President also recommends redirecting the Transportation Investments Generating Economic Recovery (TIGER) grant program into a more comprehensive infrastructure program with both rural and
incentives components.

Chao received strong pushback from Senate and House appropriators on the President’s request to eliminate or drastically reduce funding for the FTA Capital Investment Grants Program and TIGER grant program. The recently passed FY18 spending bill triples the size of the popular TIGER Program. TIGER will receive $1.5 billion, a $1 billion increase. The FY18 spending bill also provides $2.6 billion for Capital Investment Grants to fully fund all current agreements and fund all new projects expected to be ready for grant agreements.

Key research and deployment programs would see no impact (or increase), as they are funded at authorized levels in the FAST Act.

**ITS America Advocacy Trust Receives Briefing on Highly Automated Vehicle Research and Development Program**

Carl Barrick, Professional Staff, House Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, briefed the ITS America Advocacy Trust on April 6 on the new Highly Automated Vehicle Research and Development Program. The program will receive $100 million in funding under the Federal Motor Carrier Safety Administration budget, including $60 million for demonstration grants to test the feasibility and safety of self-driving vehicles and $38 million for research.

**HAV Demonstration Grants: Eligible Applicants**

USDOT is directed to solicit applications within 180 days of enactment and to make funding awards within one year. State, local, and tribal governments, transit agencies and authorities, metropolitan planning organizations, multijurisdictional group, and automated vehicle proving grounds are eligible. Academic institutions and research institutions are also eligible. Private companies are not eligible.

**HAV Demonstration Grants: Eligible Activities**

Eligible activities include autonomous vehicles and other collision avoidance technologies, including systems using cellular technology; advanced safety systems, including
vehicle-to-vehicle and vehicle-to-infrastructure communications; advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals; dynamic road network mapping; roadway marking and signage; community education and outreach; and transportation data collection and analysis.

HAV Demonstration Grants: Funding Awards

$10 million to a single grantee, no more than $15 million to grantees within a single state, and not less than $20 million to entities designated as automated vehicle proving grounds.

HAV Demonstration Grants: Project Selections

USDOT is directed to select projects that serve a variety of communities, including urban, suburban, and rural environments, and that serve a variety of transportation markets including freight, personal mobility, and mass transit.

Read more

FY18 Omnibus Excludes V2I from New Funding

The recently passed FY18 spending bill included $1.98 billion in new FHWA funding under the Surface Transportation Block Grant. Of concern for ITS America, it excludes Vehicle-to-Infrastructure (V2I) technology. The new funding is for the construction of highways, bridges, and tunnels. Transportation Secretary Elaine Chao has broad authority over how the funds are ultimately implemented, so ITS America will schedule a meeting with USDOT to make the case that V2I communications equipment should be considered as part of the construction process for a highway, bridge, and tunnel. ITS America is also reaching out to the House and Senate Appropriations Committees to discuss this concern as it relates to any new FHWA funding in the FY19 THUD bill. V2I continues to be eligible for funding under FAST Act.

Congressional Smart Cities Caucus to Hold Mobility Roundtable
On April 24, the Congressional Smart Cities Caucus, chaired by Reps. Darrell Issa (R-CA) and Yvette Clarke (D-NY), will hold a stakeholder roundtable on mobility at 11 am EDT at the Capitol Hill Visitors Center.

State and Local Policy Updates

Virginia Transportation Officials Describe Distracted Driving as an “Epidemic”

Of the 843 traffic deaths in Virginia last year, 208 fatalities resulted from crashes in which distracted driving was determined to be a factor. Virginia Deputy Transportation Secretary Quintin Elliott reportedly has said that “Distracted driving is just as dangerous as drinking and driving in the commonwealth” and that the “208 [fatalities] are only the numbers that [police] could identify. As we all know, that number is probably much higher.” To combat distracted driving, the Virginia DMV has said swift action is needed and that it is partnering with public safety and homeland security officials.

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