POLICY RUNDOWN

For Advocacy Trust and Start-Up Members

April 16-20, 2018

Federal Administration Policy and Regulatory News

FHWA Releases Technology Grants Notice

Federal Highway Administration (FHWA) published a Notice of Funding Opportunity (NOFO) for states, cities and other agencies to compete for $60 million in Advanced Transportation and Congestion Management Technologies Deployment Program (ATCMTD) grants to fund new technologies that improve transportation efficiency and safety. This FAST Act program has provided $110 million to 18 projects in 13 states in 2016 and 2017. Award ceiling is $12 million, and the closing date for applications is June 18, 2018.

NIST Issues First Call for 'Lightweight Cryptography' to Protect Small Electronics/Internet of Things; Releases Latest Cybersecurity Framework

On April 18, the National Institute of Standards and Technology (NIST) launched an effort to create worthy solutions to the problem of securing innumerable tiny networked devices such as those in the “internet of things” (IoT). As an initial step, NIST seeks assistance in developing requirements and guidelines for these solutions. The Draft Submission Requirements and Evaluation Criteria for the Lightweight Cryptography Standardization Process is the first draft of this request. It is written with the software development community in mind and is aimed at ensuring that the formal request—slated for release later this spring—will produce the sort of
encryption algorithms that developers agree will help in this effort.

In related news, NIST also released Version 1.1 of its popular [Cybersecurity Framework](#) on April 16. NIST will host a free public [Webcast](#) explaining Version 1.1 in detail on April 27, 2018, at 1 p.m. EDT.

### Department of Commerce Pushes forward on Spectrum Sharing, Rural Broadband and Smart Cities

The U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) announced a five-year cooperative research and development agreement with the University of Colorado Boulder to develop a wireless test bed. In addition, NTIA is seeking [applications](#) from those interested in serving on the Department's Spectrum Management Advisory Committee (CSMAC) for two-year terms. The deadline is May 18, 2018.

During Infrastructure Week, NTIA's BroadbandUSA will discuss topics related to rural broadband deployment and smart cities. On May 16, 2018, at 2 pm, EDT they will host a webinar entitled "[Successful Models and Best Practices for Rural Broadband Deployment](#)." Two other webinars are currently scheduled: July 18th - [Rural Broadband: Smart Communities & Digital Inclusion](#) and September 19 - [How to Decide the Right Technological Approach to Infrastructure](#).

### NSF awards $6.1 Million to Accelerate Advanced Wireless Research, Push Beyond 5G; Utah Project includes Mobility

On April 9, the National Science Foundation (NSF) announced a $6.1 million, five-year award to accelerate fundamental research on wireless communication and networking technologies through the foundation's Platforms for Advanced Wireless Research (PAWR) program.

NSF established the PAWR program to foster use-inspired, fundamental research and development that will move beyond current 4G LTE and Wi-Fi capabilities and enable future advanced wireless networks. Through experimental research platforms that are at the scale of small cities and communities and designed by the U.S. academic and industry wireless research communities, PAWR will explore
robust new wireless devices, communication techniques, networks, systems and services that will revolutionize the nation’s wireless systems.

Through the PAWR Project Office (PPO), award recipients US Ignite, Inc. and Northeastern University will collaborate with NSF and industry partners to establish and oversee multiple city-scale testing platforms across the United States. The PPO will manage nearly $100 million in public and private investments over the next seven years.

Below are descriptions for the two research platforms—one in New York City and another in Salt Lake City.

POWDER-RENEW, a collaboration with municipal and state leadership from Salt Lake City and Utah, will create an advanced wireless research platform that will cover 2.3 square miles of the University of Utah campus, 1.2 square miles of downtown Salt Lake City and a two-mile corridor in between, reaching a potential population of 40,000 people. Another unique aspect of the platform is support for wireless mobility-based studies, provided by using couriers with predictable movement patterns (e.g., buses), less predictable but bounded mobility (e.g., maintenance vehicles), and controllable couriers (e.g., on-site volunteers). Each of these deployed units will consist of “base” functionality that includes user-programmable software defined radios, "bring your own device" (BYOD) experiments, and they will be connected via a sophisticated platform control framework.

COSMOS is partnering with New York City, Silicon Harlem, City College of New York, University of Arizona and IBM to bring this advanced wireless test bed to life in New York City. The test bed will cover one square mile in a vibrant, densely-populated neighborhood in West Harlem. The technical focus of the COSMOS platform is on ultra-high-bandwidth and low-latency wireless communications, with tightly-coupled edge computing, a type of cloud computing that enables data processing at the edge of the network.

ITS America Participates on Privacy and Cybersecurity in CAVs Panel
On April 19, Jason Goldman, VP for External Affairs and Stakeholder Engagement, participated on a “Privacy and Cybersecurity in Connected and Autonomous Vehicles” panel that was part of a Federal Communications Bar Association (FCBA) Continuing Legal Education session on Technology and Policy for Connected and Autonomous Vehicles. Other panelists included: David L. Cox, Assistant General Counsel for Privacy, Data Governance, and E-Discovery, Volkswagen Group of America; Paul Schomburg, Director, Government & Public Affairs, Panasonic Corporation of North America; and Joseph Jerome, Policy Counsel for the Privacy & Data Project at the Center for Democracy & Technology. The panel was moderated by Timothy Tobin, Partner, Hogan Lovells US. Jason noted that as vehicles and infrastructure become increasingly connected, more and more privacy and cybersecurity issues will have to be addressed, especially as vehicle usage goes from individual ownership to a fleet model in an automated vehicle world. In addition, he emphasized the robust nature of the privacy and cybersecurity protections built into DSRC.

Legislative News

Republican Appropriators Aim to Finish FY19 Spending Bills by September 30: Transportation-HUD Markup Set for Early May

House and Senate Republican Appropriators announced on Wednesday, April 18 plans to complete all FY19 appropriations bills by September 30, 2018. The aggressive schedule will require Appropriations Subcommittees to receive funding allocations and complete drafting of the bills in the next few weeks, Subcommittee and full Committee markups by early summer, and floor votes before the August recess. The Transportation, Housing and Urban Development, and Related Agencies Subcommittee is slated to be among the first appropriations bills to move forward with a markup in early May in the House and shortly thereafter in the Senate. The aggressive schedule will also require support
from House and Senate Democrats, which will mean the bills will likely not include controversial policy-riders.

U.S. Department of Transportation Secretary Elaine Chao presented President Trump's FY19 funding request before the House and Senate Appropriations Committees on Transportation, Housing and Urban Development, and Related Agencies Subcommittees earlier this month. 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.

ITS America is urging Appropriators to include no less than $100 million in the FY19 Transportation-HUD spending bill for the 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. ITS America is also urging Appropriators to follow the FAST Act Vehicle-to-Infrastructure (V2I) funding eligibility under the Surface Transportation Block Grant (STBG) program if new funding is allocated to the Federal Highway Administration. ITS America is also urging Appropriators to follow the FAST Act Vehicle-to-Infrastructure (V2I) funding eligibility under the Surface Transportation Block Grant (STBG) program if new funding is allocated to the Federal Highway Administration (FHWA). The FY18 spending bill excludes V2I, which is eligible under the FAST Act STBG. The FY18 spending bill restricts new FHWA funding to the construction of highways, bridges, and tunnels.

**Snapshot of the House FAA Reauthorization Bill Drone Section**

The House's bipartisan FAA Reauthorization Act of 2018 (H.R. 4), a five-year bill to reauthorize the programs of the Federal Aviation Administration through 2023, is scheduled for floor action next week. The bill will not include the air traffic control spinoff. Here is a snapshot of the bill's unmanned aircraft system (UAS) policy.

The bill does the following:
- Directs the DOT Inspector General to study the appropriate roles and responsibilities of federal, state, and local governments in regulating and overseeing the operations of small unmanned aircraft in airspace 400 feet above ground level and below.

- Establishes processes to accelerate implementation of low-altitude unmanned aircraft system traffic management (UTM) systems.

- Expedites deployment of commercial UAS by creating a risk-based permitting process.

- Directs FAA to coordinate with NASA to conduct testing of UAVs (unmanned aerial vehicles) colliding with a manned aircraft.

- Establishes a process for the FAA to permit the operation of small UAS for certain uses.

- Requires the U.S. Department of Transportation (DOT), in consultation with state and local government, to conduct a study on the privacy implications of UAS operations caused by integration into the national airspace system.

- Directs the DOT Inspector General to assess the FAA’s small UAS registration system and requires FAA to develop and track metrics to assess compliance with and effectiveness of the system.

- Requires the Comptroller General to study financing options related to regulation and safety oversight of UAS.

- Increases transparency by requiring FAA to publish information on approved small drone waivers and airspace authorizations and to provide real-time data on application status.

ITS America's policy supports the use of UAVs for expanded freight mobility and calls on Congress to address the constraints that are limiting their safe use for freight mobility in the pending FAA reauthorization. ITS America also supports policies that encourage safe exploration of operational concepts and partnerships at the state and
local levels to promote the integration of UAVs in airspace at 400 feet and below for freight mobility.

**Infrastructure Bill Update**

The Administration is increasingly suggesting that the infrastructure legislation will likely be split into several bills and will not move until after November’s midterm elections. House Transportation and Infrastructure Committee Highways and Transit Subcommittee Chairman Sam Graves (R-MO) confirmed this at a Bloomberg Government Breakfast on Tuesday, April 17, which ITS America legislative affairs staff attended. Graves said leadership (House Republicans) want to move shorter bills. Furthermore, Graves said that he does not foresee doing anything before the election or early next year.

**State and Local Policy Updates**

**Los Angeles Councilman Urges City Attorney to Consider Suing Waze for Creating Dangerous Traffic Conditions**

On April 17, 2018, Los Angeles Councilman David Ryu sent a letter to the city attorney’s office, urging it to consider filing a suit against Waze for creating a dangerous condition in the public right of way. Rye alleges that in attempting to find alternate routes to traditional arteries, Waze has wreaked undue havoc on traffic plans, residential communities, and the safety of Los Angeles residents.

**Missouri DOT Long-Range Transportation Plan Focuses on Impact of New Vehicle Technologies**

Missouri DOT’s recently released Long Range Transportation Plan reportedly devotes 27 of 83 pages to addressing issues associated with advances in vehicle technologies. The plan notes that “…technological changes are likely to happen faster than the ability of government to react to them, making it imperative that planning for those changes start now” and that significant increases in capital spending likely will be necessary to keep pace with innovations in transportation
technologies. The plan also notes that the lack of a rise in the state gas tax combined with more electric vehicles on the road presents a revenue challenge for the department. More information on the plan can be found [here](#). The comment period runs through May 3, 2018. Comments should be submitted to [lrtpcomments@modot.mo.gov](mailto:lrtpcomments@modot.mo.gov).

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