



National Beat

6/29/23

Federal Updates

On June 22nd, The House Energy and Commerce's Environment, Manufacturing, and Critical Materials Subcommittee held a hearing to discuss legislation that would limit the EPA's authority to finalize vehicle emission standards ([read here](#)). The hearing focused on four bill proposals that aim to minimize the EPA's rulemaking authority and its recent proposed rule on pollution emission standards for light and medium duty vehicles. The bills under consideration include the Preserving Choice in Vehicle Purchases Act, the Fuels Parity Act, the Choice in Automobile Retail Sales Act of 2023, and the No Fuel Credits for Batteries Act of 2023. The hearing highlighted the ongoing debate regarding EPA regulations and their impact on the automotive industry, consumer choices, and environmental concerns.

On June 22nd, EPW Chairman, Tom Carper, and Shelley Moore Capito introduced the Diesel Emissions Reduction Act (DERA) of 2023 ([read here](#)). The proposed bill reauthorizes the DERA program through FY 2029 with an annual budget of \$100 million. The program provides grants, rebates, and loans to support the replacement or retrofitting of heavy-duty diesel vehicles and engines, reducing emissions, and promoting domestic manufacturing jobs.

On June 15th, The House Appropriations Committee approved funding for annual spending. The total is roughly \$119 billion lower than the agreed limits in the debt ceiling bill ([read here](#)). The decision was made through a party-line vote after a partisan debate. The House Freedom Caucus objected to the set ceiling of \$1.5 trillion on base discretionary appropriations in 2024 and advocated for a lower ceiling of \$1.47 trillion. To address, the House Appropriations Committee plans to limit new spending to the fiscal year 2022 level and redirect funds. The Transportation-HUD appropriations bill will receive \$65.2 billion in net discretionary funding (i.e., a 34% reduction compared the adjusted amount from the 2023 appropriations act).

On June 14th, the Senate Committee on Environment and Public Works (EPW) held a hearing to examine FHWA's implementation of the Infrastructure, Investment, and Jobs Act (IIJA) and the Inflation Reduction Act (IRA) ([view here](#)). Administrator Bhatt addressed the \$3.5 billion discrepancy issue in contract authority between the two digital financial systems (i.e., Delphi and FMIS). Administrator Bhatt noted that he has been working with the States on this issue to address potential impacts and hopes to share information on a potential resolution as quickly as possible. The hearing also addressed issues surrounding Green House Gas (GHG) emissions targets, the National Vehicle Miles Traveled Fee Pilot, Electric Vehicle (EV) standards, transportation safety, and alternative transportation models.

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USDOT

On June 27th, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issues a notice of proposed rulemaking regarding railroads and information dissemination ([read here](#)). The amendments would require railroads to electronically generate, maintain, and share specific information about hazardous materials with first responders, emergency response officials, and law enforcement. The goal is to improve emergency response and investigation efforts. The proposed rule is accepting comments until August 28th, 2023.

On June 22nd, the FTA held a virtual listening session to discuss the Bus Compartment Redesign and Bus of the Future initiatives ([read here](#)). Participants provided feedback on rising issues, including operator and passenger safety, accessibility, bus component safety, reduction of bus customization, and emerging technologies in public transit vehicles. The commenting period will remain open until July 24th, 2023. The FTA aims to gather input from stakeholders representing labor unions, the disability community, academia, transit vehicle manufacturers, and other relevant stakeholders to share perspectives on key issues related to transit bus safety and emerging technologies.

On June 22nd, FTA announced that the Hudson River Tunnel project (i.e., a component of the Gateway Program) has received \$25 million in Infrastructure, Investment, and Jobs Act (IIJA) funding to begin construction ([read here](#)). This funding will cover important initial work, including the construction of a new overpass in North Bergen, New Jersey. The funding marks a step towards achieving the long-awaited tunnel project.

FHWA announced a deadline extension of June 30th, 2023, for the National Roadway Safety Awards ([read here](#)). The award spotlight innovative projects that enhance roadway safety. State, local, and Tribal agencies are eligible to apply.

On June 20th, The Transportation Security Administration (TSA) announced that it is seeking applications for the Surface Transportation Security Advisory Committee (STSAC) ([read here](#)). Applicants must represent specific constituencies and aim to enhance surface transportation security. The committee advises the TSA Administrator on policy development, program implementation, and security measures for surface transportation.

FHWA is actively researching and studying e-bikes to understand their impact and management across the United States ([read here](#)). FHWA details that e-bikes offer opportunities to reduce car travel, improve health, and increase access for underserved populations. FHWA has developed an e-bike fact sheet, conducted a literature review on e-bike trends and impacts, and compiled case studies displaying how states and communities are adapting to e-bike use. The research and case studies aim to support decision-makers and potential riders in making informed choices about e-bike integration and management.

On June 16th, USDOT released a clarification statement on its "Defining Unfair or Deceptive Practice" (UDP) rule intended to provide regulated entities with more clarity on USDOT enforcement and regulatory processes ([read here](#)).

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FHWA evaluated safety performance targets for CY 2021 ([read here](#)). These targets include measures such as the number of fatalities, the rate of fatalities per vehicle miles traveled, the number of serious injuries, the rate of serious injuries per vehicle miles traveled, and the number of non-motorized fatalities and serious injuries. A state is considered to have met or made significant progress towards their targets if at least four out of the five measures are achieved or show improvement compared to the baseline performance ([read FHWA target assessments here](#)). The findings show that 10 states have made considerable progress, and 42 states have not made significant progress towards the targets.

FHWA published a report titled "Approaches for Communicating Third Performance Management Rule Measures, Metrics, and Targets" ([read here](#)). The report discusses performance measures in FHWA's Transportation Performance Management program, specifically narrowing in on the third performance management rule (i.e., the PM3) concerning system performance, freight movement, and the Congestion Mitigation and Air Quality Improvement Program (CMAQ). The report details various approaches used by State DOTs and MPOs in effectively communicating PM3 measures and goals.

FHWA published a revised guide titled, "Speed Enforcement Camera Systems Operational Guidelines" ([read here](#)). The guide surrounds incorporating speed safety cameras within a speed management program. These guidelines work to protect and enhance safety for communities most vulnerable to roadway injuries and fatalities (e.g., school and work zones).

Congressional Hearings & Markups

On [June 22nd at 2:00 PM](#), the House Homeland Security Subcommittee on Transportation and Maritime Security held a hearing on the TSA's 2024 appropriations and policy priorities.

On [June 22nd at 10:30 AM](#), the Senate Appropriations Committee held a mark-up for draft subcommittee allocations, the Military Construction and Veterans proposed bill, and the Agriculture proposed bill for FY 2024.

On [June 22nd at 10:00 AM](#), the House Energy and Commerce Subcommittee on Environment, Manufacturing, and Critical Materials held a hearing surrounding pricing of vehicles and highway fuel use.

On [June 21st at 10:00 AM](#), the Senate Commerce, Science, and Transportation Committee held a hearing on the nominations of Anthony Coscia, Joel Szabat, and Christopher Koos to be Members of the Amtrak Board of Directors, and of Alvin Brown to be a Member of the National Transportation Safety Board.

On [June 21st at 10:00 AM](#), the House T&I Subcommittee on Coast Guard and Maritime Transportation held a hearing in review of the National Academy of Sciences Report titled, "The Coast Guard's Next Decade: An Assessment of Emerging Challenges and Statutory Needs." The hearing surrounds emerging issues that will require Coast Guard action and will provide recommendations to confront these issues.

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National Transportation News

On June 22nd, the Governors Highway Safety Association (GHSA) released a report on pedestrian fatalities in the US ([read here](#)). The report provides projections based on 2022 preliminary data, analyzes 2021 pedestrian fatality data from the National Highway Traffic Safety Administration (NHTSA), and reviews strategies to reduce pedestrian crashes. The findings show that there was a 1% increase in pedestrian fatalities in 2022 (i.e., highest number of pedestrian fatalities since 1981). The report highlights government and community-led efforts to understand and prevent pedestrian crashes and provides key insights to enhance pedestrian safety nationwide.

The Transportation Research Board (TRB) of the National Academies of Sciences, Engineering, and Medicine recently published a report titled, "Effective and Inclusive Virtual Public Engagement for Public Transit" ([read here](#)). This resource aims to assist transit agencies in leveraging virtual tools and strategies more effectively.

The University of California, Davis published a research report titled, "Optimizing Bikeshare Service to Connect Affordable Housing Units with Transit Service" ([read here](#)). The report details how bikeshare services can improve transportation access for residents of Affordable Housing Communities (AHCs). The report also offers recommendations for bike sharing network planning and addresses housing and transit planning challenges.

Breakthrough Fuel published a report titled, "2023 State of Transportation Report" ([read here](#)). The report details challenges facing freight operations and transportation such as fuel prices, capacity, and other macroeconomic challenges, all while trying to recover sustainability progress lost during the pandemic. The report surveyed 500 industry professionals to gain a better understanding of issues and opportunities currently facing the transportation industry.

Frontier group, PIRG Education Fund, and the New Jersey Research and Policy Center published a report titled, "Electric Vehicles Save Money for Government Fleets" ([read here](#)). The report details how electric vehicles (EVs) become integrated into government fleets to meet electrification goals. The report highlights the financial and environmental benefits of transitioning government fleets to electric vehicles, emphasizing the need for careful planning, adequate charging infrastructure, and optimal vehicle selection.

Washington Metropolitan Area Transit Authority (WMATA) warned of an impending fiscal cliff, as federal COVID aid is rescinded, and ridership struggles to meet pre-pandemic ridership levels ([read here](#)). WMATA management revealed that without significant new funding, they will be forced to implement massive service reductions starting from July 1, 2024. The projected operating deficit for FY 2025 is estimated to be \$750 million, with the deficit expected to grow through FY 2035, even if ridership recovers. WMATA states that cost-cutting and fare increases alone cannot close the budget gap, and service cuts of up to 67% may be necessary. Other major transit providers across the US are also facing similar challenges.

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NOFOs

The National Center for Mobility Management announced the 2023 Community Mobility Design Challenge funding opportunity ([read here](#)). The Community Mobility Design Challenge offers up to \$25,000 in funding and intensive technical assistance throughout the grant to enable multi-sector community teams to develop mobility solutions. Applications are due by August 4th, 2023. The applicant organization must be a nonprofit organization or a government agency that is able to receive, or be a subrecipient of, federal funding.

USDOT released a Notice of Funding Opportunity ([Access NOFO here](#)) for a new IIJA pilot program titled the Rural and Tribal Assistance Pilot Program ([read here](#)). The program offers technical assistance grants to rural and tribal communities and makes \$10 million available over five years to advance infrastructure projects. The grants are for technical assistance with feasibility studies, preliminary engineering and design, environmental review, revenue forecasting, financial feasibility analysis, regulatory analysis, negotiation of agreements, and more. A four-page funding application has been published ([access here](#)), and will begin accepting submissions at 2:00 PM on August 14, 2023.

Learn about federal grants available to MPOs in AMPO's NOFO Tracker ([access here](#)). The Tracker is available on [ampo.org](#) under the "Resources" drop down.

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