



The National Beat

September 7th, 2023

Federal Updates

On August 31st, The Biden administration allocated over \$15 billion to bolster the U.S. auto industry's transition to electric vehicles ([read here](#)). The Department of Energy will direct up to \$12 billion in grants and loans to retrofit existing facilities for electric vehicle production. An additional \$3.5 billion will go toward enhancing domestic battery manufacturing. The move comes amid pressure from unions and political opponents regarding the transition to electric vehicles. The funding will be sourced from both the Inflation Reduction Act (IRA) and the IIJA.

On August 30th, The EPA's Office of Transportation and Air Quality released MOVES4, an upgrade to their Motor Vehicle Emission Simulator ([read here](#)). The new model offers enhanced capabilities for estimating vehicle emissions and includes updated vehicle and emissions data. MOVES4 incorporates updated vehicle and emissions data, improved functionality for modeling electric vehicles, and allows users to assess the impact of new regulations.

USDOT

On September 5th, NHTSA issued a notice seeking public comments on the extension and modification of its State Data Transfer (SDT) program for Vehicle Crash Information ([read here](#)). The SDT program is a voluntary initiative that collects motor vehicle crash data to identify safety trends and assess vehicle standards. The program has two main components: the State Data System (SDS) and the Electronic Data Transfer (EDT). A new grant program, the State Electronic Data Collection (SEDC), has been introduced under the IIJA to modernize and standardize State crash data repositories. Public comment is open until October 5th.

On September 1st, FHWA issued a notice announcing the annual August Redistribution of \$7.915 B in Fiscal Year (FY) 2023 obligation limitation to the State DOTs ([read here](#)). August Redistribution is mandated by the USDOT Appropriations Act (i.e., dating back to 1975), aimed at reallocating funds from slow-spending non-formula programs to faster-spending formula programs. States are required to obligate these funds by signing legally binding contracts before the end of the FY. The size of the annual redistribution has significantly increased over the years, largely due to the growth in non-formula competitive programs (e.g., SS4A). For MPOs August Redistribution is particularly relevant as it impacts the availability and allocation of federal funds that can be channeled into regional planning and infrastructure projects.



- For FY23, State DOTs submitted requests totaling \$7.973 billion ([access category-specific apportionment and obligation limitation notices here](#)). These redistributed funds, set to expire on September 30, 2023, are preferentially allocated to states with substantial unobligated balances. Division Administrators are instructed to obligate these funds by September 26, 2023, at the latest. To prevent last year's issue of State DOTs under-requesting funds, the FHWA proactively engaged with State DOTs, leading to states requesting \$58 million more than the final redistributed amount this year.
- August Redistribution is the final segment of the annual highway funding structure for FY23, culminating in an aggregate of \$61.5 billion in usable highway formula funding for State DOTs. This sum is sourced from diverse channels: \$45.3 billion (74%) from the initial obligation limitation, \$7.9 billion (13%) from the August Redistribution, \$603 million (1%) in contract authority exempt from the limitation, \$6.4 billion (10%) from the Infrastructure Investment and Jobs Act (IIJA) for specific programs, and \$1.2 billion (2%) from the FY 2023 DOT Appropriations Act for targeted programs. Despite these advancements, challenges persist, notably in the slow expenditure of competitive grant programs such as INFRA and TIFIA. AMPO and its committees are tracking this issue and have made obligation a priority for the next reauthorization.

On September 1st, FHWA's Office of Research released case studies on the construction costs of Complete Streets projects. ([read here](#)).

On August 30th, Sue Lawless was named as the assistant administrator and chief safety officer for the Federal Motor Carrier Safety Administration (FMCSA), effective September 10th. ([read here](#)).

On August 30th, an audit of USDOTs cloud-based systems revealed significant security and privacy weaknesses, hindering its transition to a Zero Trust Architecture (ZTA) ([read here](#)). The audit found that DOT and its Operating Administrations (OAs) have not consistently implemented federal security and privacy controls, leaving them vulnerable to cyberattacks. The department also lacks a comprehensive strategy for transitioning to ZTA, including a proposed schedule or migration steps, putting it at risk of missing key milestones by the end of fiscal year 2024. The audit made 21 recommendations to improve cloud security and the transition to ZTA. DOT agreed with 19 of them and is in the process of implementing corrective actions.

On August 29th, FHWA's Office of Natural Environment published a new fact sheet to assist MPOs with emissions measure target setting. ([read here](#)). Presented as a flow chart, the fact sheet clarifies reporting requirements, target-setting procedures, and timelines.

On August 24th, FMCSA announced a new survey and study on the impact of vehicle maintenance on motor carrier safety. ([read here](#)). The study goal is to produce a technical report and a recommended best practices guide, aiming to establish minimum standards



for maintenance and clarify the requirements for both federal and state inspectors and carriers.

On August 16th, FHWA published an FAQ document on eligible highway projects under the PROTECT Formula Program. ([read here](#)). The document clarifies that PROTECT funds can be used for highway projects identified in 23 U.S.C. 176. Eligible highway facilities are defined in 23 U.S.C. 101(a)(11) and include a wide range of structures and features, such as roads, bridges, tunnels, and signs. If a project is eligible for title 23 funds, it is also eligible for PROTECT funds for corresponding activities. The document confirms that local roads and rural minor collectors are eligible for PROTECT Formula Funds. These can be either Federal-aid highways or other roads maintained by a public authority and open to public travel.

NHSTA recently released resources aimed at improving pedestrian safety through low-cost measures ([read here](#)). The "Low-Cost Pedestrian Safety Zones: Countermeasure Selection Resource" and an accompanying eight-step handbook outline how to develop and implement cost-effective solutions for areas with high rates of pedestrian-related crashes.

Congressional Hearings & Markups

- On [Thursday, September 7th at 10:00 AM](#): The Senate Environment and Public Works (EPW) committee will hold a full committee hearing focusing on the IJJA's impact on drinking water and wastewater infrastructure.

National Transportation News

On August 29th, Eno Center for Transportation published a policy brief that discusses the growing importance of Artificial Intelligence (AI) in the transportation sector ([read here](#)). The brief emphasizes the need for transportation professionals to understand AI's workings, limitations, and benefits to make informed decisions.

On July 24th, The Eno Center for Transportation and the Transportation Construction Coalition released recommendations for the federal government on implementing a Vehicle Miles Traveled (VMT) fee as an alternative to fuel taxes for transportation funding ([read here](#)). The paper suggests a phased, scalable approach that builds on existing state-level pilots, focusing on both commercial and private vehicles.



NOFOs

- USDOT is now accepting applications for its SMART Grants Program until October 10, 2023, 5:00 p.m. ET ([access here](#)). The program is open for Stage 1 Planning and Prototyping grants, aiming to fund innovative solutions for transportation issues.
- USDOT plans to announce the FY23 Thriving Communities Program NOFO and Call for Letters of Interest in September ([read here](#)). The program supports disadvantaged and under-resourced communities by funding Capacity Builders who offer technical assistance, planning, and capacity building.

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