Top Stories

5/24/19 – U.S. Senate Republicans approved a permanent ban on earmarked spending to their conference rules. In January 2018, President Donald Trump appeared to endorse the idea of bringing them back. The move stands in opposition to the House Transportation and Infrastructure Committee Chairman Rep. Peter DeFazio who is pushing for a return of “Article 1” appropriation provisions in the next federal surface transportation bill.

5/21/19 – Representative Earl Blumenauer introduced a bill that would increase the federal gas tax by 5 cents a year for the next five years making it 23.3 cents per gallon in 2020 until reaching 43.3 cents per gallon after 2023. It would also be indexed to inflation. The bill includes a sense of Congress that “by 2029 the gas tax should be repealed and replaced with a more sustainable, stable funding source.” Blumenauer is a member of the House Ways and Means Committee, which has jurisdiction in the House over federal tax rates.

5/15/19 – The Federal Aviation Administration (FAA) appointed a number of new members to its Drone Advisory Committee including the appointment of Michael Chasen, the CEO of PrecisionHawk, a drone technology company as the new chairman. Overall, Department of Transportation (DOT) Secretary Elaine Chao appointed a dozen new members to join the panel out of more than 200 who had been nominated including Steve Ucci (Rhode Island State Assembly), Bob Brock (Kansas Department of Transportation), Mark Colborn (Dallas Police Department), Michael Leo (New York City Fire Department, and Thomas Karol (National Association of Mutual Insurance Companies). The panel will hold a meeting on June 6, its first in about a year, where members will discuss trends in counter-drone technology, the FAA’s recent reauthorization and an in-the-works knowledge test for recreational drone pilots, among other matters.

5/14/19 – The Federal Communications Commission (FCC) announced that it removed a proposal from its next meeting that would explore whether and how to potentially reallocate the 5.9 GHz band of wireless spectrum. Currently, the band is reserved for transportation safety technology, which many see as vital, if connected vehicles are going to succeed. The removal follows a personal request from DOT Secretary Elaine Chao to the FCC Chairman.

5/8/19 – The House Appropriations Committee subcommittees have approved 10 of the 12 FY 2020 funding bills, with four appropriations bills impacting areas covered by the NRI Committee. Specifically, the Agriculture-FDA bill would receive $24.3 billion, a $1.3 billion or 6% increase over current levels ($23 billion), the Energy-Water appropriations measure would receive $46.4 billion, a $1.8 billion or 4% increase over current levels ($44.6 billion), the Interior-Environment bill was allocated $37.3 billion, a $1.7 billion or 5% increase over current levels ($35.6 billion), and the Transportation-HUD bill received $75.8 billion, a $4.7 billion or 7% increase over current levels ($71.1 billion)

5/7/19 – The FAA issued updated guidance to airports concerning counter drone (cUAS) efforts to respond to suspicious drones operating in their vicinity, following a recent, high-profile drone disruption at a London airport. The FAA stated that it does not support the idea of airports or any non-federal actors using counter-drone systems and "cannot confirm the legality" of any system that might be used to detect drones. "An entity considering installing a [drone] detection
system may wish to seek system-specific and site-specific guidance from its legal counsel and/or the appropriate authorities." The FAA and the departments of Homeland Security and Justice are expected to release guidance for when states can request federal assistance in counter-drone measures.

4/25/19 – FAA awarded the first air carrier certification to a drone delivery company, Wing Aviation. The certification will allow Wing Aviation to begin commercial package delivery in Blacksburg, Va. As NCSL has previously written to FAA, designating a drone as an air carrier statutorily preempts a state or local government from enacting a rule or law relating the air carriers, route, rate or service.

From Congress

5/15/19 – Phillip Swagel will replace Keith Hall in early June as director of the Congressional Budget Office. He previously served as an assistant Treasury secretary during the George W. Bush administration

5/9/19 – The House Committee on Transportation and Infrastructure Chair Peter DeFazio (D-Ore.) and ranking member Sam Graves (R-Mo.); Subcommittee on Highways and Transit Chair Eleanor Holmes Norton (D-D.C.) and ranking member Rodney Davis (R-III.); and Subcommittee on Water Resources and Environment Chair Grace F. Napolitano (D-Calif.) and ranking member Bruce Westerman (R-Ark.) sent a letter to Speaker Nancy Pelosi and Minority Leader Kevin McCarthy requesting a repeal of the $7.6 billion rescission contained in the most recent surface transportation law, the Fixing America’s Surface Transportation Act. The rescission, if carried out, would mean that highway funding provided by Congress would be taken back, affecting all 50 states and the District of Columbia.

5/23/19 – The Federal Railroad Administration (FRA) withdrew a proposed rule that would have mandated the presence of at least two people on a freight train crew noting that “in withdrawing the NPRM, FRA is providing notice of its affirmative decision that no regulation of train crew staffing is necessary or appropriate for railroad operations to be conducted safely at this time.” The agency issued the proposed rule in March 2016 to establish minimum crew size requirements for various operations after two 2013 rail accidents in Quebec and North Dakota.

5/20/19 – The administration released its 2019 Spring Unified Agenda which includes several updates to key DOT rulemakings. One such rule, due out in October proposes allowing automakers to do away with side mirrors because they create drag and impact vehicle performance, noise and fuel calling for passage of the bill and look forward to working with Congress to ensure its enactment into law.

From the Administration

5/28/19 – DOT published two advanced notices of proposed rulemaking on automated vehicles. First, NHTSA is seeking comment on how best to remove regulatory barriers to testing the crash avoidance features of automated driving systems in cars without manual controls. Specifically, NHTSA cites vehicle brake systems that explicitly require foot controls in federal safety standards when such a system might not be present in an automated vehicle. Second, the Federal Motor Carrier Safety Administration, meanwhile, is seeking public comment on how to safely introduce automated trucks.

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efficiency and would prefer to use cameras and interior screens instead. Additionally, a final rule to establish a pilot program allowing up to five states to conduct their own environmental assessments of infrastructure projects that was mandated by the 2015 surface transportation law is scheduled for release shortly. An ANPRM on amending Federal Motor Vehicle Safety Standards and creating a new safety framework for assessing and validating the success of automated vehicles is due out in December.

5/16/19 – FRA announced the termination of its 2010 funding agreement with the California High-Speed Rail Authority and rescinded the $929 million in funds that were previously awarded. Because the funds were never formally distributed, the Authority will not be required to repay the funds. The Authority has sued the administration over its decision.

5/16/19 – The Federal Motor Carrier Safety Administration (FMCSA) has requested comments on a potential pilot program that would allow all drivers aged 18, 19, and 20 to operate commercial motor vehicles (CMVs) in interstate commerce. On July 6, 2018, FMCSA published a Federal Register notice announcing the details of a Commercial Driver Pilot Program allowing 18 to 20-year-olds with specific military training to operate CMVs in interstate commerce. This latest notice represents a second pilot program for non-military drivers aged 18, 19, and 20 to operate in interstate commerce. FMCSA requests comments on the training, qualifications, driving limitations, and vehicle safety systems that FMCSA should consider in developing options or approaches for a second pilot program for younger drivers. Comments on the proposal are due July 15, 2019.

5/15/19 – FTA announced the availability of more than $420 million in FY 2019 competitive grant funding as part of its Buses and Bus Facilities Program provides funds to help improve the condition of bus infrastructure by funding the replacement and rehabilitation of buses and related facilities.

5/15/19 – DOT announced the department's intent to award $779 million in supplemental funding for infrastructure grants to 127 airports in all 50 states and Puerto Rico. This funding is in addition to the $3.31 billion awarded in Airport Improvement Program (AIP) funding during FY 2018. Selected projects include runway reconstruction and rehabilitation, and the maintenance of taxiways, aprons, and terminals.

5/3/19 – The Federal Highway Administration issued $2 million “quick release” Emergency Relief funds to the Missouri Department of Transportation to help repair roads damaged by widespread flooding back in March that affected several states throughout the Midwest.