Top Stories

8/14/19 – The Federal Motor Carrier Safety Administration (FMCSA) released a proposed rule that would update their existing hours of service requirements for commercial truck drivers. The proposal would increase truck drivers’ flexibility with their 30-minute rest break and with allocating time in a sleeper berth. The proposal also would extend by two hours duty time for drivers encountering adverse weather and expand the current 100 air-mile “short-haul” exemption from 12 hours on-duty to 14 hours on-duty, consistent with workday rules for long-haul truck drivers.

8/8/19 – The U.S. Department of Transportation (DOT) issued a Notice of Funding Opportunity for both FY 2019 and FY 2020 for the Surface Transportation System Funding Alternatives (STSFA) program for $38 million grants to states—or groups of states that form partnerships for regional or national proposals—to test “new ways” to finance highway and bridge projects in lieu of motor fuel taxes. The program is designed to test “alternative revenue mechanisms” built upon a user-fee structure to maintain the long-term solvency of the Highway Trust Fund.

7/30/19 – The Senate Environment and Public Works Committee unanimously approved a five-year bipartisan reauthorization of the 2015 Fixing America’s Surface Transportation (FAST) Act. The new bill, America’s Transportation Infrastructure Act, is a key step in the reauthorization process but it is unclear as to how and when a full reauthorization could be enacted into law. For more information, read NCSL’s Info Alert.

7/25/19 – California and four of the world’s largest automakers signed an agreement that revises existing motor vehicle emission standards currently required by both the federal government and California. The revisions reduce the increases currently required for future years but are well above what many expect to be a freeze of current federal levels, that the administration will release later this year. Automakers will reduce their fleetwide emissions by 3.7% per year for model years 2022 to 2026 and up to 1 percentage point of those reductions can be achieved via extra credit for electric or plug-in hybrid vehicles sales. Those extra credits, which are set to expire after model year 2021, now last through model year 2024. It remains unclear how this will affect, if at all, the forthcoming update to federal standards. California has a waiver to establish its own emissions standards for vehicles although in 2012 they agreed to align theirs with the federal governments.

7/24/19 – The Senate confirmed Steve Dickson, 52-40, to head the Federal Aviation Administration (FAA). Dickson is a former Delta Airlines executive. Legislation was also enacted to allow Dan Elwell to remain as deputy administrator of the FAA as both Dickson and Elwell are former military officers, and federal law states that if the administrator is a former officer, the deputy administrator cannot also be a former officer.

7/18/19 – The Government Accountability Office (GAO), Congress’s investigative agency, issued a report noting that DOT’s process for reviewing Infrastructure for Rebuilding America (INFRA) grant applications, one of the largest competitive grant programs the department offers, “lacked consistency and transparency.” The findings are similar to previous reports that have focused on both INFRA, and its previous name, FASTLANE since 2011. “Since the FAST Act was enacted in 2015, we have been unable to determine the
basis for the resulting awards of about $2.3 billion through the FASTLANE and INFRA program,” GAO wrote.

7/9/19 – The Federal Highway Administration (FHWA) announced its FY 2020 estimates for state apportionments for the seven major federal highway funding programs, which beings Oct. 1, 2019. These programs provide $43.4 billion in funding to states and include the National Highway Performance Program; Surface Transportation Block Program; Highway Safety Improvement Program; Railway-Highway Crossings Program; Congestion Mitigation and Air Quality Improvement Program; Metropolitan Planning; and the National Highway Freight Program. The process to reauthorize these programs and other federal transportation programs has begun, with the Senate expected to markup its draft early next month.

From Congress

7/16/19 – The House Transportation Committee released a report providing evidence that wait times for the federal approval of transit grants, including the Capital Investment Grants program and Small Starts program have more than doubled in 2017 and 2018 compared to 2015 and 2016.

7/22/19 – Chair of the House Committee on Transportation and Infrastructure Peter DeFazio (D-Ore.), ranking member Sam Graves (R-Mo.), Chair of the Aviation Subcommittee Rick Larsen (D-Wash.), and ranking member Garret Graves (R-La.) sent a letter to DOT expressing concerns with the delay in the Federal Aviation Administration’s (FAA) issuing of a rule requiring remote identification for unmanned aircraft systems (drones). The letter urges the administration to “dedicate the necessary staff and resources for the rapid publication of a notice of proposed rulemaking” on remote ID. The “failure to complete this effort poses serious risks to the National Airspace System, its users, and the nation’s most critical and sensitive facilities and assets.”

From the Administration

7/26/19 – DOT announced $84.9 million in grant selections through the Low- or No-Emission (Low-No) Grant program, which funds the deployment of transit buses and infrastructure that use advanced propulsion technologies. Thirty-eight projects in 38 states will each receive funding through the program.

7/15/19 – FAA awarded $477 million in airport infrastructure grants, which is the third allotment of the total $3.18 billion under the Airport Improvement Program. There are 264 grants to airports in 44 states, the Pacific Islands and the District of Columbia. Selected projects include runway reconstruction and rehabilitation, construction of firefighting facilities, and the maintenance of taxiways, aprons, and terminals.

7/5/19 - EPA issued its proposed rule for the Renewable Fuel Standards (RFS) program that would set the minimum amount of renewable fuels that must be supplied to the market in calendar year 2020. Conventional renewable fuel volumes, primarily met by corn ethanol, would be maintained at the 15-billion gallon target set by Congress; advanced biofuel volumes of 5.04 billion gallons, 0.12 billion gallons higher than the requirement for 2019; cellulosic biofuel requirement of 0.54 billion gallons, 0.12 billion gallons higher than 2019; and biomass-based diesel volume for 2021 at 2.43 billion gallons, the same as the level set for 2020. The proposed rule does not call for reallocating volumes due waivers that EPA is authorized to issue to small refiners.

7/2/19 – The GAO issued a report finding that freight trains are getting longer, and more information is needed to assess the impact on safety. The average train length for two class I railroads has increased by 25% since 2008, with one railroad telling GAO that it runs a 3-mile-long train twice weekly.

NCSL Resources

For all the presentations, videos, blogs, and other resources from the 2019 NCSL Legislative Summit, check out ncsl.org.