



Top Stories

Update on Surface Transportation Reauthorization: It is becoming increasingly likely that Congress will approve a short-term extension of authorization for federal transportation programs sometime in May, before the current authorization expires on May 31. However, it remains unclear how long this extension would last. One possibility is the extension would last only until July, to match up with new unofficial estimates on the solvency of the Highway Trust Fund. Another option being considered would extend authorization until later this year to provide Congress with additional time to agree on a future funding source.

5/5/2015—NCSL President-elect Senator Curt Bramble (R-Utah) **testified** on behalf of NCSL in front of the U.S. Senate Commerce Committee subcommittee hearing on surface transportation issues.

Bramble's testimony focused on the need for the federal government to reauthorize a long-term surface transportation bill to provide states with certainty as they move to upgrade and repair their infrastructure. For more information see [NCSL's blog](#).

5/1/2015—The U.S. Department of Transportation (DOT) **released** its final rules related to shipping flammable liquids by rail. The rules include construction standards for new and

retrofitted tank cars, permanent speed limits, and mandates the use of electronic brakes. The rules were released in coordination with the Canadian government, highlighting the interconnectedness of the North American rail system. For more details see [NCSL's Info Alert](#).

4/17/2014—The U.S. Department of Transportation (DOT) **issued** an emergency order related to the shipment of crude oil by rail, requiring that trains travel no faster than 40 mph through urban areas in an attempt to reduce accidents. Additionally, DOT issued a safety order requiring that only highly experienced and skilled inspectors conduct mechanical inspections of trains transporting crude. The order also emphasizes the responsibility of shippers and carriers to notify first responders regarding certain hazardous material shipments. A similar order was issued by the Canadian government.



From the 114th Congress

4/27/2015—NCSL sent a [letter](#) to a Senate Commerce subcommittee on aviation issues, in response to a hearing the subcommittee held on Federal Aviation Administration (FAA) reauthorization. NCSL urged the subcommittee to avoid a short-term fix to FAA reauthorization, and to increase the Passenger Facility Charge to help finance airport infrastructure projects. NCSL sent a similar [letter](#) to the House Transportation and Infrastructure Committee in February.

4/27/2015—NCSL [issued a letter](#) to leaders of the Senate Appropriations Committee regarding the FY 2016 funding allocation for the Harbor Maintenance Trust Fund. In recent years, annual appropriations for harbor maintenance needs have been lower than the \$1.8 billion in annual revenue collected by the trust fund. Signed by the co-chairs of NCSL’s standing committees, the letter urges lawmakers to adhere to NCSL’s [policy on waterways and ports](#), which opposes the build-up of harbor maintenance tax receipts because it imposes a competitive burden without providing necessary infrastructure improvements.

4/16/2015—Senators Barbara Boxer (D-Calif.) and Rand Paul (R-Ky.) [introduced](#) bipartisan legislation, the Invest in Transportation Act of 2015, which would extend the Highway Trust Fund by allowing American companies to repatriate an estimated \$2 trillion in overseas earnings to the U.S. at a decreased tax rate of 6.5 percent. However, earlier this year, the Senate Finance chairman [noted](#) that passage of repatriation that is not part of a larger corporate tax reform effort is unlikely. A similar bill, H.R. 625, introduced in the House by Representative John Delaney (D-Md.) would subject U.S. multinational corporations to a one-time 8.75 percent tax on existing overseas profits. Such a tax would generate \$175 billion, of which \$50 billion would be used to capitalize the American Infrastructure Fund (AIF), a kind of national infrastructure bank, while \$120 billion would be used to ensure the continued solvency of the Highway Trust Fund. Another [plan](#) related to paying for transportation infrastructure was introduced on April 16 by Representatives Jim Renacci (R-Ohio) and Bill Pascrell (D-N.J.). Their solution would index the gas tax to inflation and form a Highway Trust Fund “super-committee” to find a long-term funding solution.

From the Department of Transportation (DOT)

4/28/2016—DOT Secretary Anthony Foxx called for a “100 percent” recall repair rate, and for the auto industry to be more aggressive about safety. Foxx noted that DOT issued more

recall fines in 2014—nearly 64 million vehicles, at \$126 million in fines—than it had in the past four decades.

4/23/2015—Foxx [announced](#) a new technical assistance program called LadderSTEP that will be aimed at fostering sustainable economic development in seven cities related to planned transportation projects. The announcement is part of a broader program at DOT called “Ladders of Opportunity” that is focused on ensuring our transportation system provides reliable, safe and affordable ways to reach jobs, education and other essential services.

4/20/2015—DOT, Amtrak and the Northeast Corridor Commission completed a [plan](#) to improve the region’s rail network over the next five years. The plan, if fully funded, would provide 42,200 direct jobs and invest in more than 30 stations in the region.

From the Federal Aviation Administration (FAA)

4/30/2015—FAA [announced](#) the completion of En Route Automation Modernization (ERAM), a highly advanced computer system that is used by air traffic controllers to manage high-altitude traffic. The system enables controllers to handle more aircraft over a larger area with increased safety, capacity and efficiency. The completion of ERAM is “a major step forward” in FAA’s efforts to develop and implement the NextGen system.

4/15/2015—In a public [statement](#), the FAA announced it is working with aviation security partners in Washington, D.C., to investigate an incident involving a gyrocopter aircraft landing on the U.S. Capitol lawn. The gyrocopter was piloted by a 65-year-old man who intended to deliver letters related to campaign finance reform to each member of



Congress. According to FAA, the pilot was not in contact with the air traffic controllers and FAA did not authorize him to enter restricted airspace.

4/9/2015—FAA [granted](#) 30 exemptions for commercial drones, including one for Amazon. The exemptions allow the entities to test using drones for potential commercial uses, such as in Amazon's case, for delivery of goods.

4/8/2015—Foxx [announced](#) that India has complied with international safety standards and has been granted a Category 1 rating under FAA's International Aviation Safety Assessment program. The Category 1 rating means that India's air carriers can now operate flights to and in the United States. A 2012 FAA audit found deficiencies in India's civilian aviation authority, downgrading it to a Category 2 designation.

From the Federal Highway Administration (FHWA)

4/24/2015—FHWA announced FY 2015 redistribution of unobligated Transportation and Infrastructure Finance and Innovation Act (TIFIA) funds.

4/23/2015—New estimates [released](#) by FHWA show that Americans drove 221.1 billion miles in February 2015, a 2.8 percent increase over February 2014. Additionally, the combination of miles driven in January and February 2015 are 3.9 percent ahead of the same period in 2014.

4/22/2015—FHWA [announced](#) the 2015 Environmental Excellence Award recipients. The Biennial awards are given to projects from across disciplines and states that take extra care to preserve the environment while "enhancing America's highways."

From the Federal Transit Administration (FTA)

4/16/2015—FTA [released](#) guidance to recipients of Section 5339 Bus and Bus Facilities Formula Program regarding

program administration, and the grant application process is the result of the program's enactment as part of MAP-21.

4/8/2015—FTA is [inviting](#) public comment regarding its proposed interim policy guidance for the Capital Investment Grant program. The policy guidance is meant to provide details about the criteria that must be met for evaluating New Starts, Small Starts and Core Capacity Improvement projects.

From the Federal Railroad Administration (FRA)



4/16/2015—FRA [awarded](#) more than \$21 million in grants to invest in Positive Train Control (PTC) implementation, passenger rail, and highway-rail grade crossing safety. The grants are meant to promote the safety goals and projects that can be met by U.S. railroads with reliable funding.

4/13/2015—FRA [released](#) statistics showing advancements in freight rail safety, confirming that 2014 was the safest year on record for freight train operations in the United States. In fact, since 2000 the train accident rate has decreased by 45 percent and the "track-caused" accident rate decreased by 54 percent.

3/26/2015—FRA [announced](#) the dates and location of its 2014 Right-of-Way Fatality & Trespass Prevention Workshop. This year's workshop will be held Aug. 4-6 in Charlotte, N.C. The conference will bring together the rail industry, law enforcement, first responders and state and local officials to discuss solutions for trespass abatement and mitigation strategies. According to the agency, trespassing and rail-crossing account for 94 percent of all railroad fatalities.

Other News Items

5/4/2015—Georgia Governor Nathan Deal [signed](#) into law a transportation package that is projected to bring in \$1 billion a year for transportation infrastructure needs across the state. The law raises the gas tax for the average driver by around 6 cents per gallon and imposes a \$5 per night fee at hotels. Electric vehicle drivers will have to pay a \$200 annual fee and will no longer receive a tax break. The law will take effect on July 1.

5/4/2015—The American Association of State Highway and Transportation Officials (AASHTO) [surveyed](#) state transportation agencies to see how much money states spent this winter on snow and ice removal. From the responses, AASHTO discovered that 23 states spent more than \$1 billion on winter maintenance operations and 8 million work hours plowing roads, from October to March 2014.

4/27/2015—Speaking to the International Bridge, Tunnel and Turnpike association, an analyst for the Congressional Budget Office [presented](#) three options for how Congress could act on the insolvency of the Highway Trust Fund. The three options were to reduce budgetary resources beyond 2016, impose a 10 to 15 cent gas tax increase, or infuse the trust fund with a transfer of \$16 billion from the general fund for 2016 and another \$18 billion in each subsequent year.

NCSL Resources

NCSL's NRI Committee began its [2015 Spring Webinar Series](#) on April 30. The committee will host a webinar almost every Friday through June (for exclusions – [check website](#) for specific dates). Topics include: EPA regulations, general aviation, falling oil prices, invasive species, food safety and more. [Register online for free!](#)



[Registration](#) is open for NCSL's 2015 Legislative Summit taking place Aug. 3-5 in Seattle. See [the website](#) for more details and resources from last year. [Click here](#) to find resources from past meetings including session presentations, information, videos and more!

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