



## Top Stories

### Update on Surface Transportation Reauthorization:

Congress passed a two-month reauthorization ([H.R. 2353](#)) of highway and transit programs. The extension required no additional revenue based on forecasted levels for Highway Trust Fund. This same forecast also predicts that extending transportation programs through the end of the 2015 calendar year would require an additional \$11 billion for the trust fund. The Senate Environment and Public Works (EPW) Committee is expected to mark up its six-year surface transportation measure in late June. Other members of the Senate and House leadership have announced that they favor a short-term extension to provide additional time to develop consensus on how to raise revenue for a long-term bill. The EPW Committee does not have jurisdiction over the revenue title of a long-term bill, which lies within the Senate Finance Committee's jurisdiction.

**5/14/2015**—The House Appropriations Committee [approved](#) the Transportation-Housing and Urban Development (THUD) spending bill. Overall, the bill provides \$55.3 billion in discretionary funding, which is an increase of \$1.5 billion over the FY2015 funding level. Surface transportation programs would receive level funding, with highway funding at \$40.25 billion and transit at \$9.5 billion. One major change in funding relates to the Department of Transportation's (DOT) TIGER grants, which support significant transportation projects. That program would receive \$100 million, a decrease of \$400 million



from FY2015 funding levels. The committee failed to adopt an amendment that would have increased funding for Amtrak in light of the recent train crash outside of Philadelphia.

**5/12/2015**—An Amtrak intercity passenger train derailed just north of Philadelphia, resulting in the deaths of 7 people and injuring hundreds of others. The train was travelling at 106 mph, twice the 50 mph speed limit; it remains unclear as to why the train was travelling at such an excessive speed. National Transportation Safety Board member Robert Sumwalt said,

"Based on what we know right now, we feel that had such a system [Positive Train Control(PTC)] been installed in this section of track, this accident would not have occurred." Although the rail industry has reported that many track segments do not have PTC equipment installed, current federal rules require that rail companies have an operating PTC system implemented by the end of 2015. In March, the

Senate Commerce Committee voted to extend the deadline for implementing PTC until at least 2020, with bipartisan support.

## From the 114th Congress

**5/18/2015**—Senator Bill Nelson (D-Fla.) [introduced](#) a bill in response to the Amtrak crash that would lift the cap on liability to \$500 million from \$200 million, previously set in 1996.

**5/8/2015**—A bipartisan group of nearly 70 members of Congress and senators sent a [letter](#) to the chairman and ranking member of the House Transportation and Infrastructure

Committee requesting the reauthorization of the University Transportation Center program at a level not less than its current allotment of \$72.5 million annually.

**5/5/2015**—Senators Ron Wyden (D-Ore.) and John Hoeven (R-N.D.) introduced the [Move America Act of 2015](#), which would create a new tax credit bond designed for infrastructure investments by state and local issuers. The bill would provide up to \$45 billion in infrastructure tax credits and \$180 billion in tax-exempt bond authority over the next 10 years to increase demand in the private sector to invest in public sector infrastructure projects. Similar to a private activity bond, the Move America bonds would be available to help finance “publicly” available transportation infrastructure, including airports, docks, public transportation facilities, highways, freight transfer facilities and flood diversion projects. Up to 50 percent of a bond's proceeds could go to land acquisitions in connection with a qualified project, doubling the current limit. Additionally, the bonds may include tradable tax credits to attract private investment although the bonds would, among other requirements, be subject to a state's volume cap.

**5/4/2015**—Senator Chuck Schumer (D-N.Y.), who is widely expected to assume the top leadership post for Senate Democrats in January 2017, [introduced](#) a bill that would speed up the phase-out of old tank cars that stand in stark contrast to DOT's final rule (see above).

## From the Department of Transportation (DOT)

**5/19/2015**—DOT Secretary Anthony Foxx announced that after urging from DOT, air bag manufacturer Takata has acknowledged that a defect exists in its air bag inflators. Takata agreed to a national recall of specified types of driver and passenger side air bag inflators. These inflators were made with a propellant that can degrade over time and has led to ruptures that have been blamed for six deaths worldwide. The action expands the number of vehicles to be recalled for defective Takata inflators to nearly 34 million. Additionally, the company has agreed to cooperate in all future regulatory

actions that the National Highway Traffic Safety Association undertakes in its ongoing investigation and oversight of Takata.

**5/6/2016**—DOT [calculated](#) that in 2014, airlines made \$3.5 billion in bag fees and \$3 billion in reservation change fees, a 5 percent and 6 percent increase from 2013 respectively. These fees have been increasing since 2008, while operating profit for 27 airlines increased from \$11.3 billion in 2013 to \$14.6 billion in 2014.

**5/6/2015**—The DOT inspector general is [auditing](#) the Pipeline and Hazardous Materials Safety Administration's (PHMSA) pipeline and hazmat safety program. Representative Peter DeFazio (D-Ore.), ranking member of House Transportation and Infrastructure Committee, requested the audit over concern with PHMSA's delay in improving the standards for crude oil transportation by rail.

## From the Federal Aviation Administration (FAA)

**5/27/2015**—Following both the catastrophes involving Germanwings and Malaysia Airline carriers, FAA [announced](#) that it is working with an industry group, known as the Commercial Aviation Safety Team, which includes pilots and medical experts, to make recommendations, within six months, for new rules relating to the awareness and reporting of emotional and mental health issues, the methods used to evaluate pilot emotional and mental health, and barriers to reporting such issues.

**5/13/2015**—FAA announced a public outreach campaign for the National Capital Region around Washington, D.C., to reinforce the message that the District of Columbia and cities and towns within a 15-mile radius of Ronald Reagan Washington National Airport are a ["No Drone Zone."](#)

**5/6/2015**—FAA [announced](#) a partnership with industry to explore the next steps in unmanned aircraft operations beyond the type of operations the agency proposed in the draft small unmanned aircraft systems rule it published in February. This

includes areas pertaining to beyond visual line of sight, which was a requirement in the February draft, and received numerous comments. See [NCSL's info alert](#) for more information on the February proposal.

## From the Federal Highway Administration (FHWA)

**5/20/2015**—FHWA [released](#) new estimates that show Americans drove 261.7 billion vehicle-miles-traveled (VMT) in March 2015, the most ever driven in March. Additionally, in the first quarter of 2015, the nation drove 720.1 billion VMT—the highest for any year's first quarter.

**5/12/2015**—President Barack Obama nominated Greg Nadeau for the administrator position of FHWA. Nadeau would replace Victor Mendez, who has been serving as DOT deputy secretary since July of last year. Additionally, Nadeau has served as the deputy administrator for FHWA since 2009, and was the FHWA acting administrator from July 2014 to February 2015.

## From the Federal Railroad Administration (FRA)



**5/21/2015**—FRA [issued](#) an emergency order to Amtrak that requires Amtrak to take a series of steps to improve safety along the Northeast Corridor. These steps include: implementing Automatic Train Control (ATC) code changes and modifications; adopting other safety procedures at several curve locations with significant speed reductions; and submitting an action plan to FRA outlining additional steps that identify modifications to Amtrak's existing ATC, that best enable warning and enforcement of applicable passenger train speeds at identified curves.

**5/6/2015**—FRA closed on a \$967.1 million Railroad Rehabilitation and Improvement Financing (RRIF) loan with New York City's Metropolitan Transportation Authority to facilitate the deployment of PTC on both the Metro-North Railroad and the Long Island Rail Road. It is the largest RRIF loan in FRA's history. The RRIF program provides direct federal loans and loan guarantees to finance the acquisition and development of railroad and intermodal facilities and equipment. The FRA gives priority to projects that provide public benefits, including benefits to public safety, the environment, and economic development.

## National Highway and Traffic Safety Administration (NHTSA)

**5/21/2015**—NHTSA announced that it will extend federal oversight of General Motors' review, decision-making and communications about potential vehicle safety issues for an additional year. In a [May 14 letter](#), NHTSA required GM to continue submitting reports to and meeting with NHTSA so that the agency may monitor the progress of GM's investigation of potential safety issues and other actions required by [NHTSA's May 2014 Consent Order](#).

**5/20/2015**—NHTSA [issued](#) a Notice of Proposed Rulemaking (NPRM) that aims to help protect motorcyclists from unsafe helmets and aids state efforts to enforce existing motorcycle helmet laws. The NPRM seeks to address the ongoing use of "novelty motorcycle helmets." Such helmets do not meet DOT safety standards for crash protection, but are frequently marketed and sold for on-road use.

## Other News Items

**5/14/2015**—Transit Labs issued a [report](#) with an interactive map highlighting how the countries structurally deficient bridges align with U.S. congressional districts.

4/28/2015—GAO issued a [report](#) on airport infrastructure funding finding that from 2009 through 2013, national system airports had available an average of \$10 billion annually for capital development from airport-generated net income (\$3.8 billion); federal Airport Improvement Program (AIP) grants (\$3.3 billion); local passenger facility charges (\$1.8 billion); airport sponsor or owner capital contributions (\$644 million); and state grants (\$477 million). Specifically, larger airports (large and medium hubs) obtained more than half of their capital development funding from airport-generated net income, while smaller airports (non-hubs and general aviation airports) relied on AIP grants for 69 percent of their funding. For more information on NCSL's aviation priorities see our [aviation policy directive](#) and [airport infrastructure policy directive](#).

## 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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