

AASHTO Transportation Policy Forum

Patrick McKenna, Chairman | Vice President, AASHTO | Director, Missouri Department of Transportation
Lynn Zanto, Vice Chairwoman | Transportation Planning Division Administrator, Montana Department of Transportation
Thursday, August 8, 2019 | 8:30 AM - 5:00 PM CT
Friday, August 9, 2019 | 8:30 AM - 12:00 PM CT
2019 Special Session | Minneapolis, MN

Meeting Minutes **DRAFT**

1. The Transportation Policy Forum (TPF) was called to order at 8:38 AM on August 8 by Chairman Patrick McKenna, Missouri.
2. Chairman McKenna began the meeting by thanking the membership of the TPF for their presence and their work over the past 18 months on FAST Act reauthorization efforts. He also provided an overview of the day's objectives. Chairman McKenna shared a video taken at the Champ Clark Bridge to showcase permitting reform success.
3. Roll Call was taken by William Lusk, AASHTO Program Specialist for Policy, and the following states were present: Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming.
4. AASHTO President Carlos Braceras, Utah, provided opening remarks. He emphasized that Congressional members and staff look to AASHTO for answers and solutions, and that the ideas put forward by TPF are heard and are making a difference. President Braceras reminded TPF that resolutions passed during this meeting would be brought to the AASHTO Board of Directors. Before closing, he introduced TPF to the new AASHTO Deputy Director Brandye Hendrickson.
5. Chairman McKenna asked for approval of the minutes from the TPF meeting in Park City, UT on May 22. Tamara Haas, New Mexico, moved to approve the minutes and was seconded by Susan Mulvihill, Minnesota. The meeting minutes were approved. Michele Boomhower, Vermont, and Nicholas Donohue, Virginia, abstained from voting on the motion.
6. Chairman McKenna began the Consideration of Regional and Other Policy Resolutions.

Jim McDonnell, AASHTO Program Director for Engineering, introduced the "Guiding Principles Connected Infrastructure Supporting Cooperative Automated Transportation" resolution from the Cooperative Automated Transportation (CAT) Coalition. He said that a joint task force meeting will harmonize minor edits from AASHTO, ITE, and ITS America. Eric Kalivoda, Louisiana, suggested that references to Traffic Engineers should be replaced with Transportation Engineers. Regarding the principles piece, Chairman McKenna suggested a period be added after "systems" in sentence 3A to

emphasize technology neutrality of the 5.9 GHz spectrum. President Braceras said that ITS America would consider Chairman McKenna's suggestion a friendly amendment. Chairman McKenna accepted a substitute motion to add "*including but not limited to*" in sentence 3A in lieu of a period after "*systems*" and was seconded by Pete Rahn, Maryland. The motion carried unanimously. Sondra Rosenberg, Nevada, advised that "*safely*" in the fourth Whereas clause of the resolution should be "*safety*." Jack Marchbanks, Ohio, moved to approve the resolution and was seconded by Mr. Rahn. The motion carried unanimously.

Mr. Rahn introduced the NASTO resolution titled "Increasing the Flexibility of the Federal-Aid Transportation Program to Mitigate the Impacts of Sea-Level Rise/Extremely Weather Events." Marc Williams, Texas, Ben Orsbon, South Dakota, and Kyle Schneweis, Nebraska, said that time and guidance was needed before deciding in favor or against. Mr. Kalivoda complimented NASTO on the specifics and wording of the resolution, and then suggested legislative language should be emulated to supplement AASHTO resolutions. Paul Degges, Tennessee, cautioned against making a resolution supporting eligibility so broadly that it affects funding for other items. Don Arkle, Alabama, expressed concern about ER fund inefficiencies. Chairman McKenna said that this existing NASTO resolution will be the foundation of a new resolution to isolate areas of support in the ATIA bill on this matter. No further action was taken.

Mr. Rahn introduced the NASTO resolution titled "The Need to Repeal the \$7.6 Billion Rescission in the FAST Act" and asserted that no action was required of the TPF. Chairman McKenna said that states are doing a good job of contacting their state delegations on this issue. No further action was taken.

Mr. Rahn introduced the NASTO resolution titled "The Importance of Funding and Flexibility to Develop the Transportation Workforce of the Future," which stresses the need for each state to tailor its workforce training for their unique needs. Chairman McKenna said that, if there is general consensus, nationalized language will be drafted for group consideration and potential adoption by the Board. No further action was taken.

Chairman McKenna introduced the "Reestablishment of Federal Technical Support for MASH and Adjustment of the Implementation Agreement" resolution from the AASHTO Committee on Design. This resolution was presented to TPF for information only, as it is on its way for formal consideration in October.

The TPF adjourned for a break at 11:09 AM, and reconvened at 11:32 AM.

7. Jim Tymon, AASHTO Executive Director, began the Washington Update on the Trump Administration, Congress, and Senate EPW Bill discussion. He advised that while the Senate EPW committee passed the ATIA bill, it is the first step of a long process and there is a lot of opportunity to weigh in until consideration on the full Senate floor. As state DOTs are considered the primary "customers" of this legislation, feedback from AASHTO would be welcomed. The House Transportation and Infrastructure Committee was unlikely to consider a bill by the end of this year, and Chairman DeFazio was seeking substantive changes to existing programs. Mr. Tymon closed by recommending that TPF members reach out to Congressional representatives during the August recess, as it is a great time to build relationships with them and their staff.

Kathy Ruffalo, President of Ruffalo and Associates, spoke about the budget process, budget agreement, and appropriations process. She said that Congress has a new budget agreement of \$320 billion in spending for Fiscal Years 2020 and 2021, It is anticipated that some of the additional funds will go to transportation projects, but the actual amount should be known in September. The debt ceiling was extended through Fiscal Year 2021, but it does not reduce the possibility of another government shutdown. No FAST Act rescission repeal was in the budget agreement. It was anticipated that a DOT bill will be debated in the Senate in mid-September. With minimal time to get bills complete, a continuing resolution is anticipated, which could be a vehicle to repeal the FAST Act rescission. Ms. Ruffalo closed by emphasizing the positive effects of member advocacy on AASHTO positions.

Joung Lee, AASHTO Policy Director, delivered remarks about the FAST Act rescission repeal, found both in the ATIA bill and S. 1992. He appealed for help from TPF members to impress on Republican Congressional members to let them know that their support is needed for rescission repeal. The Senate EPW bill authorizes \$287 billion out of the Highway Trust Fund and \$5 billion of general fund authorizations to provide more guidance from the authorizing committees than the appropriators. The bill emphasizes safety, wildlife crossing mitigation, infrastructure resiliency, greenhouse gas reduction, bridge investment, and many new small pilot programs. Mr. Lee closed by summarizing several items of concern found in the bill including the large number of new programs funded out of the Highway Trust Fund, the specificity of carbon reduction and safety program eligibilities, and the broad expansion of TIFIA eligibility.

Giles Giovinazzi, California, discussed the direct distribution of funding requested by MPOs as an issue. Ms. Haas said she is seeing issues with obligation of funds by local entities. Chairman McKenna said that this is a considerable issue for AASHTO, and that there was a good relationship with MPOs but it was a constant refrain by communities that they're not getting their fair share. Thus, the argument must be pivoted as there isn't enough money to go around.

8. Mr. Lee began the Policy Discussion on "AASHTO's Vision for Reauthorization of the FAST Act" and gave a brief description of the resolution. Linda Hull, Utah, moved to add "*mobility*" in the first Whereas clause after "*safety*." The motion was seconded by Mr. Marchbanks. The motion passed unanimously. President Bracerias suggested that AASHTO staff work on a specific rewrite and continue the conversation after lunch. Chairman McKenna tabled the Vision for Reauthorization of the FAST Act until after lunch.

Chairman McKenna opened the Policy Discussion on "AASHTO's Core Policy Principles for Reauthorization of the FAST Act" and opened the floor for discussion. Mr. Marchbanks moved to add a fourth bullet point to Section 5 to read "*Preserve state and local government authority to responsibly manage data collected from transportation technologies,*" and was seconded. The motion carried unanimously. A technical edit was made to have both the highway/bridge backlog and projection needs in Section 2. Mr. Williams advised he is a "no" vote due to Section 3 as it is currently worded. Allison Camden, Washington, moved to reinstate "*mobility and*", rearrange "*mobility and safety*" and strike "*and capacity improvements*" in Section 1. The motion was seconded and carried unanimously. Mr. Kalivoda moved to vote on the resolution and was seconded by Mr. Rahn. The resolution passed, with Texas opposing.

The TPF adjourned for lunch at 12:01 PM, and reconvened at 1:13 PM.

The “AASHTO’s Vision for Reauthorization of the FAST Act” policy resolution was taken from the table, containing edits made by AASHTO staff during lunch featuring reorganized Whereas and Resolved clauses. The only new words introduced were “AASHTO’s vision for” in the first Resolved clause inserted before “*policy recommendations.*” Laura Mester, Michigan, moved to vote on the resolution as presented, and was seconded by Mr. Tasaico. The resolution passed unanimously.

The “AASHTO Fast Act Reauthorization Policy Theme 1: Promote Safety” resolution was described by Mr. Lee. Mr. Kalivoda expressed support of the resolution, but requested AASHTO staff create legislative text for Congressional consideration to accompany the resolution. Mr. Kalivoda moved to adopt the resolution and was seconded by Travis Brouwer, Oregon. The resolution passed unanimously.

Susan Howard, AASHTO Program Director for Transportation Finance and Director, BATC Institute described the “AASHTO Fast Act Reauthorization Policy Theme 2: Ensure Robust Long-term, Sustainable Funding Solution” resolution. Mr. Williams said that he intends to vote “no” on this resolution due to a Resolved clause on revenue measures. Mr. Donohue moved to add “*and rail transportation*” after “*public transportation*” in the seventh Resolved clause. Chairman McKenna considered this motion a technical edit. Ms. Mester moved to add “*to address transportation infrastructure needs and*” before “*sustain national and regional connectivity*” in the fourth Resolved clause. The motion was seconded and carried. Mr. Schneweis moved to vote on the resolution, and was seconded by Mr. Marchbanks. The resolution passed, with Texas opposing.

Mr. Lee described the “AASHTO FAST Act Reauthorization Policy Theme 3: Maintain Current Program Structure” resolution. Mr. Lee mentioned Vice Chair Zanto’s suggestion regarding the second Whereas clause to amend “*federally-funded, state-administered*” to “*federally assisted State*” to reflect statutory text in Title 23. Chairman McKenna requested that draft resolutions have line numbers for consideration by the Board of Directors. Mr. Donohue moved to amend the fifth Resolved clause by omitting “*at no less than FAST Act levels*” and replacing with “*above FAST Act levels.*” The motion was seconded and was taken as general consent. President Bracerias suggested that a small working group be put together to have a conversation with AMPO to address member concerns. Ms. Camden expressed concern that the first Resolved clause would not be well-received by Congress. Chairman McKenna proposed replacement of “*untested*” with “*unfunded*” in the first Resolved clause, and Kevin Biesty, Arizona agreed. Ms. Mester suggested that the first Resolved clause may not be interpreted negatively by Congress. Chairman McKenna tabled the resolution.

Mr. Lee described the “AASHTO Fast Act Reauthorization Policy Theme 4: Improve Flexibility” resolution. Vice Chair Zanto recommended changing “*flexibility and transferability*” to “*flexibility within transferability*” in the second Resolved clause. It was then discussed that AASHTO staff would construct new language. Chairman McKenna tabled the resolution.

The TPF adjourned for a break at 2:56 PM, and reconvened at 3:19 PM.

The “AASHTO FAST Act Reauthorization Policy Theme 3: Maintain Current Program Structure” resolution was taken from the table. Chairman McKenna said that the first Resolved clause could have “*untested new programs and*” struck as recommended by AASHTO staff. Nina Fisher, Maine, moved to approve, and was seconded by Ms. Haas. The resolution passed unanimously.

The “AASHTO Fast Act Reauthorization Policy Theme 4: Improve Flexibility” resolution was taken from the table. Chairman McKenna advised that the second Resolved clause could be amended as “*RESOLVED, Congress should allow for increased flexibility within and transferability between highway and transit program categories; increase the transferability of the current core formula highway programs; enable transferability from federal program categories with unobligated balances to allow for use of those funds; focus federal funding increases in the most flexible formula funding categories, and; authorize a pilot program that allows a limited number of states the option to treat all federal funds they receive during the pilot program years as having been apportioned to that state under the most flexible of the existing federal funding categories, where the purpose of the pilot program is to demonstrate how states produce results toward state goals and needs using a flexible needs-based and outcome-oriented project prioritization and programming process (Issue FF-5), and further be it;*” as recommended by AASHTO staff. There were no objections, and the amendment was taken as general consent. Mr. Marchbanks moved to vote on the resolution, and was seconded by John Wilcoxson, Kentucky. The resolution passed unanimously.

The “AASHTO Fast Act Reauthorization Policy Theme 5: Reduce Program Burdens” resolution was described by Mr. McDonnell. Mr. Donohue moved to strike the final Resolved clause and was seconded by Ms. Camden. A subcommittee was formed by Chairman McKenna consisting of Mr. Donohue, Mr. Brouwer, Ms. Haas, Ms. Rosenberg, Mr. Schneweis, and Vice Chair Zanto to craft new language. The motion was withdrawn by Mr. Donohue. The resolution was tabled by Chairman McKenna pending edits by the subcommittee.

Shannon Eggleston, AASHTO Program Director for the Environment, described the “AASHTO FAST Act Reauthorization Policy Theme 6: Improve Project Delivery” resolution. Mr. Schneweis asked about the tenth Resolved clause and moved to strike “*or activities agreed by the Corps and the state*”. The motion was seconded and was taken as general consent. Mr. Orsbon moved to add “*USDOT must*” before “*work*” in the ninth Resolved clause, and it was taken as a technical edit. Mr. Orsbon moved to vote on the resolution, and was seconded by Benjamin White, Alaska. The resolution passed unanimously.

Matt Hardy, AASHTO Program Director for Planning and Performance Management, described the “AASHTO FAST Act Reauthorization Policy Theme 7: Harness Innovation and Technology” resolution with a brief summary. Mr. Marchbanks moved to add “*mobility*” between “*safety*” and “*and efficiency*”, and it was accepted as a technical edit. Chairman McKenna accepted a technical edit to consolidate the first and second Whereas clauses as “*WHEREAS, dramatic change is taking place with the merger of technology between the car, truck, and other vehicles—and with physical transportation infrastructure—we will enable unprecedented improvements to safety and mobility through the emergence of Cooperative Automated Transportation (CAT), and;*”. Mr. Marchbanks moved to vote on the resolution and was seconded by Mr. Kalivoda. The resolution passed unanimously.

Mr. Lee described the “AASHTO FAST Act Reauthorization Policy Theme 8: Support Research and Development” resolution. Mr. Wilcoxson moved to strike the final Resolved clause and was seconded by Mr. Schneweis. The motion passed unanimously. Mr. Degges moved to vote on the resolution and was seconded by Ms. Mester. The resolution passed unanimously.

The “AASHTO Fast Act Reauthorization Policy Theme 5: Reduce Program Burdens” resolution was taken from the table. The subcommittee suggested a motion to rewrite the tenth Whereas clause

with “WHEREAS, state DOTs are committed to implementing a transportation performance management program but are concerned the established minimum condition levels for certain asset classes could force a state DOT to implement a “worst first” approach to managing their assets, and;” and replace the ninth Resolved clause with “RESOLVED, Congress should direct the Secretary of USDOT to review the effect that the minimum condition levels for both condition of interstate pavements and NHS bridges have had on the ability of state DOTs to implement an asset management approach, and further be it;”. Mr. Brouwer moved to vote on the resolution as presented by the subcommittee and was seconded by Mr. Wilcoxson. The resolution passed unanimously.

9. The TPF adjourned for the day at 4:57 PM.
10. The TPF was called to order at 8:41 AM on August 9 by Chairman McKenna.
11. Lloyd Brown, AASHTO Director of Communications, provided a welcome, session overview, and goals for the day. He also provided examples of the “conversation” and how popular media serves as a barometer measuring how people perceive the world around them, supplemented by commercials. Mr. Degges asked if there could be blowback if DOTs aggressively sold their efforts, and Chairman McKenna said that it was very possible.
12. Mr. Brown spoke about current and past communication research. The common strategies for transportation communication are commitment to accountability, reform, and performance reporting; establish a broad coalition beyond self-interest groups; build partnerships between local and state agencies; clearly demonstrate need relatable to the public; show clear benefits to people; and have leadership from the executive and legislative branches. He then spoke about NCHRP 20-24 (93)C research and focus groups on transportation funding campaigns and associated messaging. Mr. Williams said that Texas’ challenge is that there is not enough revenue to solve all problems, and that there is no research on collective appreciation. Mr. Degges said that state DOTs’ communications teams are great tools, but wondered how far messaging could go before releases were considered too self-serving.
13. Mr. Brown provided examples of other Associations’ communications messaging from the Construction Coalition/U.S. Chamber, Association of Equipment Manufacturers, American Society of Civil Engineers, and Oregon DOT. Mr. Lee asked about the effectiveness of paid opinion pieces as used by the Construction Coalition/U.S. Chamber, and Mr. Brown said that it was debatable. After the Oregon DOT video was played, Mr. Brouwer said that a hired PR firm provided assistance to add emotional appeal to the video.

The TPF adjourned for a break at 9:43 AM, and reconvened at 10:08 AM.

A video from WSDOT was shown to exemplify quality of life, economic development, and distilling a theme to the individual level.

14. Mr. Brown led the discussion on a communication plan by asking the TPF about its authorization goals. Mr. Arkle said that Alabama does not try to be alarmist to its constituents. Mr. Williams said that Texas correlates transportation system condition with revenue measures. Eric Powers, New Jersey, suggested that AASHTO’s positions are unifying and not controversial. Mr. Marchbanks said

that quality of life, mobility, and freedom to travel should be emphasized. Chairman McKenna said that without transportation, one cannot have the guarantees of life, liberty and the pursuit of happiness, and that global competitive advantage must be emphasized. President Braceras said that embedded in previous AASHTO's policies are themes of "effective in delivering projects with the public's dollars" and "the right project at the right time to improve quality of life and save lives." Ms. Rosenberg said that the top priority should be obtaining consistent and certain funding for state DOTs.

15. Mr. Brown led the discussion on our target audiences. Vice Chair Zanto suggested that we reach out to Congressional delegation staff and determine what we need to do for them. Chairman McKenna said that the tangible things people want are enhancement of quality of life, safety improvement, and resiliency. Mr. Tymon agreed, and that the Senate EPW bill has new themes for Congressmen to rally behind. Mr. Marchbanks said that state of good repair is a good safety argument. Mr. Schneweis said that unifying and optimistic messaging is good, and that the message has to be all things to all people. Ms. Rosenberg suggested listing unique benefits to all demographics versus an all things-all people approach. Mr. Giovinazzi said that if we aren't willing to proactively engage Congressional priorities, someone else will help them craft their ideas. Ms. Mester said that communications from AASHTO could tell constituents how DOTs would implement their programs, favorable or not, and what the outcomes are.
16. Mr. Brown led the discussion on the measurement of success, and if it is a signed multi-year bill or the groundwork for the next authorization. Mr. Schneweis said that when the AASHTO voice is heard in Congress, it is successful. Mr. Arkle said that it would be catastrophic if there was no rescission repeal.
17. Mr. Brown led the discussion on communications strategies and tactics, and what the communication plan should include. Mr. Williams suggested a coordinated effort amongst all DOT assets. Mr. Degges said that DOTs should use their data to showcase the great job they are doing. President Braceras said Mr. Degges' idea was good, as it shows how transparent DOTs are with the public's funding. Ms. Mulvihill liked Mr. Degges' suggestion as well and recommended to tie it in with how important transportation is in daily life. Ms. Rosenberg said that success is measured by people telling Congress AASHTO's message. Mr. Giovinazzi said that there is a groundswell on local initiatives to fund transportation, and it can be used to demonstrate popular support.
18. Chairman McKenna provided closing remarks, and asked TPF members to consider staying during Board of Directors meeting in October to provide support to their CEO.
19. The TPF adjourned for the day at 11:19 AM.