Introduction

Led by the Transportation Policy Forum, this is a summary of AASHTO’s surface transportation reauthorization recommendations to Congress and the Administration adopted by the Board of Directors on October 9, 2019, in St. Louis, Missouri.

AASHTO’s official reauthorization package can be found at https://policy.transportation.org/surface-reauthorization/. It is composed of a vision statement, core policy principles, and eight outcome-oriented policy themes. There is also an accompanying white paper to provide further details and context for each policy area.

AASHTO’s Vision for Reauthorization

America is poised to dramatically improve the national transportation network in ways that will improve the safety, mobility, health, and economic well-being of all Americans. From the very beginning of our developing nation, we have valued investment in our surface transportation infrastructure, starting with rivers, harbors, and post roads, and later taking major leaps through canals, the transcontinental railroad, and the Interstate Highway System. A safe, well-functioning, and resilient system is the foundation of a strong economy and quality of life benefits such as access to employment, education, recreational, and health services opportunities.

Ensuring the safety of Americans using our surface transportation system remains the foremost priority for each state department of transportation (state DOT), as 36,750 lives lost on our roadways and work zones in 2018—including pedestrians and users of motorized and non-motorized vehicles—is wholly and totally unacceptable. Every action that state DOTs take serves to provide the highest possible quality of life for all Americans by improving access, public health, and both built and natural environments.

State DOTs strive to deliver the most effective and efficient surface transportation system that strengthens and grows the economy by increasing productivity, enhancing jobs and labor market accessibility, opening new markets for businesses, and optimizing supply chain efficiency for freight movement. It is the interconnected national transportation system—with states as a principal owner and operator of a multimodal surface transportation infrastructure—that has enabled the United States to become the most vibrant and powerful nation in history.

- AASHTO’s vision for policy recommendations are founded upon transportation serving as the key enabler for a higher purpose: to provide the safest system possible, highest possible quality of life, and most robust economic opportunities for everyone.
- A well-funded, multiyear surface transportation reauthorization on time by September 30, 2020, is absolutely necessary to actualize AASHTO’s reauthorization goals that serve Americans.
- Given the strong bipartisan support from the American public for robust infrastructure investment, it is time for the President and Congress to take bold action on this consensus national priority.
AASHTO’s Core Policy Principles for Reauthorization

AASHTO supports the following core policy principles for reauthorization of highway, transit, and other surface transportation programs.

1. **Ensure timely reauthorization of a long-term federal surface transportation bill**
   - Funding stability provided by federal transportation programs is absolutely crucial to meet states’ capital investment needs, which take multiple years to plan and construct.
   - A long-term transportation bill is needed so that there is no authorization gap upon FAST Act expiration in September 2020. Short-term program extensions cause unnecessary program disruptions and delay safety and mobility benefits to states and communities.

2. **Enact a long-term, sustainable revenue solution for the Highway Trust Fund**
   - Ensuring Highway Trust Fund solvency in supporting a six-year federal surface transportation bill that simply maintains current FAST Act funding levels will require approximately $100 billion in additional revenues for the Highway Trust Fund.
   - To achieve a state of good repair, USDOT’s 2015 Conditions and Performance Report estimates highway and bridge needs at $836 billion and transit needs at $90 billion, which would require significant additional investment.
   - Federal funding solutions can draw upon the experience of 31 states that have successfully enacted transportation revenue packages since 2012.
Increase and prioritize formula-based federal funding provided to states

- The current federal highway program optimally balances national goals with state and local decision-making.
- Formula-based transportation funding reflects the successful federal-state partnership by ensuring the flexibility necessary for each state to best meet its unique investment needs.
- Congress should increase the formula-based program’s share of the Federal-aid Highway Program from 92 percent currently in the FAST Act.

Increase flexibility, reduce program burdens, and improve project delivery

- Increase programmatic and funding flexibility to plan, design, construct and operate the surface transportation system.
- Reduce regulatory and programmatic burdens associated with federal programs that are not part of the project approval process.
- Modernize Clean Water Act, Clean Air Act, and Endangered Species Act processes to improve transportation and environmental outcomes and reduce delays.
- To streamline and improve project delivery, states should be provided with opportunities to assume more federal responsibilities and the associated accountability.

Support and ensure state DOTs’ ability to harness innovation and technology

- Innovative approaches and technologies should be embraced to achieve a safer and more resilient, efficient and secure surface transportation system.
- State DOTs, as infrastructure owners and operators, need the 5.9 GHz spectrum for transportation safety and connected vehicle deployment purposes.
- Preserve state and local government authority to regulate operational safety of autonomous vehicles.
- Preserve state and local government authority to responsibly manage data collected from transportation technologies.
AASHTO’s Policy Recommendations

These eight themes of AASHTO’s Policy Recommendations provide actionable guidance to realize the Core Policy Principles for Reauthorization.

**Theme 1  Promote Safety**
- Increase Highway Safety Improvement Program flexibility
- Allow states to take self-corrective actions before federal penalties are imposed
- Clarify rail and transit program roles for states
- Enable FHWA to resume its traditional role in approving roadside safety hardware

**Theme 2  Ensure Robust Long-term, Sustainable Funding Solution**
- Implement a permanent revenue solution to the Highway Trust Fund based on user fees and dedicated to transportation
- Revenue solutions should focus on motor fuel tax increase and indexation, per-barrel oil fee, freight user charges, and a mileage-based user fee
- Provide more resources for development of revenue alternatives
- Avoid the use of contract authority rescissions
- Ensure increase in funding for public transportation and rail programs proportional to increase for the highway program
- Retain the current multi-tiered research funding structure

**Theme 3  Maintain Current Program Structure**
- Prioritize maximizing formula dollars provided to states from the Highway Trust Fund
- Avoid the use of discretionary grant programs
- Maintain the funding balance among highway, highway safety, and transit programs from the Highway Trust Fund
- Do not require use of performance measures to make funding decisions

**Theme 4  Improve Flexibility**
- Reauthorize current federal rail grant programs
- Maintain the existing balance of authority among state DOTs and metropolitan/rural planning organizations
- Increase current funding for bus and bus facilities
- Maintain the current federal-state matching ratios and also examine exchange of toll credits
- Support the current federal financing tools
- Reauthorize Amtrak
- Do not establish new or additional federal performance measures

- Increase flexibility within the Surface Transportation Block Grant Program (STBGP) as it pertains to suballocation, within and between highway and transit program categories, on use of tolling, and on emergency relief program administration
- Reimburse states for the cost of administering the STBGP Setaside (i.e., Transportation Alternatives Program)
- Provide more flexibility for preventive maintenance projects and for Section 6(f) of the Land and Water Conservation Fund Act
Theme 5  Reduce Program Burden

- Expand eligibility of the National Highway Freight Program and the INFRA Program
- Increase flexibility of the Congestion Mitigation and Air Quality Improvement Program
- Simplify transportation conformity to meet only the most recent air quality standards
- Provide permitting and other flexibility for accommodating tow trucks and emergency vehicles on bridges
- Implement a more practical application of the Buy America requirement and transit certification process
- Make less burdensome for states the Stewardship and Oversight Agreement with Division Offices at the Federal Highway Administration
- Provide more resources for performance management
- Address burdensome fiscal constraint requirements
- Allow for ample time to evaluate the current performance-based planning regulations
- Review the effect of minimum conditions requirement concerning pavement and bridges
- Adopt the Public Rights-of-Way Accessibility Guidelines
- Simplify various planning and federal compliance requirements

Theme 6  Improve Project Delivery

- Allow for interagency adoption of categorical exclusions
- Provide a reasonable process and timeline for right-of-way acquisition
- Take a more sensible approach to transportation conformity regulations
- Reduce numerous “touchpoints” federal approvals
- Improve the National Environmental Policy Act process
- Allow for better coordination with railroads and resource agencies like the Fish and Wildlife Services
- Improve the U.S. Army Corps of Engineers process including Section 404 permitting

Theme 7  Harness Innovation and Technology

- Preserve the 5.9GHz spectrum for transportation safety purposes
- Prevent the federal preemption on shot clocks and application fees for 5G deployment and recognize state flexibility on its own rights-of-way
- Examine more pilot programs like SEP-15 and SEP-16 that allow for experimentation of federal regulation under controlled parameters
- Provide more resources or eligibility for transportation system management and operations and cooperative automated transportation infrastructure needs
- Expand flexibility on state DOTs’ use of drones

Theme 8  Support Research and Development

- Scope out the third Strategic Transportation Research Program
- Reauthorize the Transit Cooperative Research Program and reinstate the National Cooperative Freight Research Program