

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
Monday, October 7, 2019 | 1:00 PM - 4:00 PM CT
2019 Annual Meeting | St. Louis, MO

Meeting Minutes **DRAFT**

1. The Transportation Policy Forum (TPF) was called to order at 1:03 PM on October 7 by Chairman Patrick McKenna, Missouri.
2. Chairman McKenna began the meeting by thanking Vice Chairwoman Lynn Zanto, Montana, and the membership of the TPF for their presence and their work on surface transportation reauthorization efforts. He provided a brief summary of the committee's work on the reauthorization process, and closed by saying that the tangibles produced early by TPF for Congress have served AASHTO well.
3. Roll Call was taken by William Lusk, AASHTO Program Specialist for Policy, and the following states were present: Alabama, Alaska, Arizona, Arkansas, California, Colorado*, Connecticut, Delaware, Georgia, Idaho, Illinois*, Indiana*, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, Wisconsin, and Wyoming.
4. Chairman McKenna asked for approval of the minutes from the TPF meeting in Minneapolis, MN on August 8 and 9. Jack Marchbanks, Ohio, moved to approve the minutes and was seconded by Susan Mulvihill, Minnesota. The meeting minutes were approved.
5. Joung Lee, AASHTO Policy Director, provided the AASHTO Washington Update on Federal Policy. He spoke about the passage of the America's Transportation Infrastructure Act (ATIA) pressuring other Congressional committees to begin their own proposals. Neither the Senate Commerce nor the Senate Banking committees have scheduled any public actions on their portions of the bill. The House reauthorization policies will not be released until later this year or possibly next year. Mr. Lee also spoke of the FAST Act rescission of highway contract authority, and while we were not successful in repealing the rescission in the Continuing Resolution, we continue to build a foundation to get this done on another legislative vehicle. Mr. Lee closed by speaking of the suspension of the "Rostenkowski Test" for the Highway Trust Fund Mass Transit Account, FY 2020 appropriations, and automated vehicle policies.
6. Chairman McKenna began the discussion on the surface transportation reauthorization strategy, asking if ATIA priority issue areas (climate change/emission reductions, infrastructure resiliency, safety, and bridge conditions) are helpful or should be modified. Ron Epstein, New York, said that he was pleased with the climate change features of the ATIA bill, but that new programs are not

**Note on Roll Call: Some states were represented by neither the TPF Voting Member nor a TPF Non-Voting Member.*

avored. Don Arkle, Alabama, stressed the need for program flexibilities within ATIA. Vice Chairwoman Zanto said that MAP-21 reduced core programs, and agreed with Mr. Arkle on the need for flexible programs. Chairman McKenna said that new programs do not necessarily mean new dollars, which takes away money from core programs. Kyle Schneeweis, Nebraska, said that the ATIA proposal was good and Senate EPW's efforts should be applauded, and we should not focus on diminishing the new programs called for in the bill. Chairman McKenna asked about member states' feelings on the use of sliding scale federal shares regarding resiliency. Marc Williams, Texas, asked how states should provide comments on the ATIA bill. Chairman McKenna said that common areas of questions need to be identified, and that that comments on ATIA can be sent through TPF for discussion in a future conference call. Mr. Lee suggested that a structured solicitation be put together to ensure time and thought into states' policy preferences. Chairman McKenna agreed with the suggestion and asked for a 30 or 45-day timeframe to compile suggestions and host a conference call discussion.

7. The TPF adjourned for a break at 2:06 PM, and then reconvened at 2:17 PM.
8. Lloyd Brown, AASHTO Director of Communications, led the discussion of AASHTO's communication plan for reauthorization. He reviewed the communications discussion held in August in Minneapolis. Basic communications strategies being considered for reauthorization include making the reauthorization core principles personal/specific, positive, and transparent/accountable. Implementation could consist of a report, website, and a "campaign in a box" containing materials that can be shared with the state DOTs. Mr. Brown concluded by mentioning NCHRP Report 2301 which examines how quality of life and economic development is communicated, and how this communication can be improved. This report is expected to be released in November.
9. Chairman McKenna began consideration of policy resolutions from the Northeast Association of State Transportation Officials.

The "Urging Congress to Repeal the FAST Act's \$7.6 Billion Rescission of Highway Contract Authority" resolution was introduced by Chairman McKenna. Mr. Epstein moved to vote on the resolution, and was seconded by Laura Mester, Michigan. The resolution passed unanimously.

The "Ensuring Development of the Transportation Workforce of the Future" resolution was introduced by Chairman McKenna. Tamara Haas, New Mexico, moved to strike the "a" in Line 6, the "s" in "emerges" in Line 11. Chairman McKenna accepted the motion as a technical edit. Greg Slater, Maryland, expressed support of the resolution and mentioned an existing joint task force designed to manage digitization of the workforce. Chairman McKenna accepted a seconded motion to vote, and the resolution passed unanimously.

The "Increasing Flexibility of the Federal-Aid Transportation Program to Mitigate the Impacts of Sea-Level Rise and Extreme Weather Events" resolution was introduced by Chairman McKenna. Mr. Epstein said that it is not a mistake that many elements of this resolution appear in the ATIA bill, and that TPF may wish to incorporate wildfires in the resolution to reflect the bill. Kevin Biesty, Arizona, asked if earthquakes and major dust storms fit the definition of "extreme weather events." Mr. Epstein said that it was not the resolution's intent to exclude certain natural phenomena, and would not oppose inclusion of earthquakes and major dust storms. Mr. Lee said that there is a statutory definition of a "natural disaster" in Title 23 Section 125 of the Emergency Relief Program and that language can be included if the TPF chose. Chairman McKenna suggested adding "and/or forest

fires” after “rise” in Line 39. Keith Metcalf, Washington, expressed a desire to use the “natural disaster” definition. Mr. Williams expressed concern of the fourth Resolved clause, and cannot support it because the Emergency Relief program would be broadened in scope by hundreds of billions of dollars in eligible projects. Mr. Epstein said the clause helps with initial approvals for emergencies hours after a given incident. Eric Kalivoda, Louisiana, shared Texas’ concerns and asked if an emergency must be declared for Emergency Relief program funding to be released, to which Mr. Epstein said it must. Mr. Kalivoda expressed support for the resolution if Lines 38-40 were omitted. Anna Bosin, Alaska, asked if the AASHTO Committee on Transportation System Security & Resilience had reviewed and provided comment on the resolution. Mr. Lee answered, saying that the resolution appearing before the TPF escalated from a regional association rather than an AASHTO committee, which is not traditional. Mr. Biesty asked for clarification of the fifth Resolved clause, and Mr. Epstein said that it’s designed to promote flexibility. Mr. Metcalf supported the resolution but had concerns about the third Resolved clause. Chairman McKenna recommended an ad hoc group to refine the resolution and bring forward for consideration at a future meeting. Kevin Thibault, Florida, recommended two to three states from each region serve on the ad hoc committee for a good cross section of the country. Mr. Epstein asked about the timeline for the resolution to be amended and considered, and Mr. Lee said that it is possible to address tomorrow at the AASHTO Board of Directors if there is interest and willingness for the ad hoc group to meet as soon as possible. Delaware, Hawaii, Louisiana, Ohio, New York, Texas, and Washington volunteered to serve on the ad hoc committee. Chairman McKenna said that the ad hoc committee will meet immediately following the TPF meeting, and from that work, it can be brought the Board of Directors even if TPF did not vote on the resolution. He then asked if there were any objections to that approach, and there were none. Vice Chairwoman Zanto suggested that the result of the ad hoc committee’s work be e-mailed to the TPF in advance of the Board of Directors meeting.

10. Chairman McKenna said that the next TPF meeting is scheduled for the afternoon of February 25 during the 2020 AASHTO Washington Briefing. He also advised that AASHTO staff will solicit input for the 2020 Legislative Action Agenda soon.

11. The TPF adjourned for the day at 3:20 PM.