

AASHTO Transportation Policy Forum

Victoria Sheehan, Chair | Vice President, AASHTO | Commissioner, New Hampshire Department of Transportation
Lynn Zanto, Vice Chair | Transportation Planning Division Administrator, Montana Department of Transportation
Tuesday, February 25, 2020 | 2:00 PM - 5:00 PM EST
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Meeting Minutes

1. The Transportation Policy Forum (TPF) was called to order at 2:08 PM by Chairwoman Victoria Sheehan, New Hampshire.
2. Chairwoman Sheehan began the meeting by thanking the TPF for their presence. She said that today's meeting will feature deep discussions on surface transportation reauthorization efforts.
3. Roll Call was taken by William Lusk, AASHTO Program Specialist for Policy, and the following states were present: Alabama, Arizona, Arkansas, California, Colorado*, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa*, Kansas, Louisiana, Maine, Maryland, Michigan, Minnesota*, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, Wisconsin, and Wyoming.
4. Chairwoman Sheehan asked for approval of the minutes from the TPF meeting in St. Louis, MO on October 7, 2019. Paul Degges, Tennessee, moved to approve the minutes and was seconded by Toks Omishakin, California. The meeting minutes were approved.
5. Chairwoman Sheehan began discussion on the AASHTO President's Emphasis Area on Safety. She said that President McKenna will be leading this year's Safety Action Plan asking for AASHTO safety efforts to be reenergized. She said that there are a number of action items, including providing for the safety of transportation users and reinvigorating national conversation on traffic safety.

President McKenna, Missouri, spoke about the benefit of last year's TPF Steering Committee meetings last year and the beneficial insight received to help craft AASHTO messaging. He then spoke about the attention received when something occurs out of the norm versus everyday occurrences, and unfortunately traffic deaths are too routine. He wishes to reenergize AASHTO safety efforts by rallying CEO leadership for traffic safety, increasing

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

support to member DOTs for safety initiatives, and sustaining efforts with committees and partners.

Joung Lee, AASHTO Director of Policy and Government Relations, provided the AASHTO Washington Update on Federal Policy. He began by discussing President McKenna's recent testimony to the Senate Banking Committee on the transit side of surface transportation reauthorization. President McKenna said that during the previous cycle, AASHTO was not called to testify, and that the testimony earlier was a reflection of the Hill and portfolio work done by the AASHTO staff. Mr. McKenna said that the hearing went well, and successfully conveyed that transit is critical for both urban and rural communities across America.

Mr. Lee then discussed the recently released House Democrats infrastructure plan called the "Moving America Framework," and concerns about state funding flexibility. Full legislative text has not been introduced, and AASHTO will continue monitoring and communicating with the House. Mr. Lee also spoke about the FY 2021 Budget Request recently released by the White House Office of Management and Budget, traditionally the first step in budget negotiations with Congress towards enactment of FY 2021 appropriations.

Mr. Lee discussed comment letter initiatives, first by describing the comments due on March 9 to the FCC on the 5.9 GHz band. He described FCC's vision, and how much positive support the initiative received from members of the House Transportation & Infrastructure Committee. Other comments were being developed regarding NEPA regulation to the White House Council on Environmental Quality. He emphasized that lead agencies need flexibility to conduct environmental reviews in a way that minimizes the financial and administrative burdens, informs public decisions, protects the environment, and avoids unintended consequences such as public or agency uncertainty or increased litigation risk.

6. Chairwoman Sheehan began the discussion of key issues on surface transportation reauthorization.

Kathy Ruffalo, AASHTO Consultant, first provided overall political context of surface transportation reauthorization. She said that there are common areas of interest between the House and the Senate including safety, climate change/greenhouse gas emission reduction, resiliency, bridge improvements, and new discretionary grant programs. However, there are several differences, including "fix it first" focus, performance measures, and local control. Although these issues are not new, she stressed the importance of TPF to come together and decide how to respond to these types of proposals. Although the Senate's ATIA bill has many AASHTO priorities identified within it, some of AASHTO's other priorities do not fit neatly.

Burt Tasaico, North Carolina, emphasized Ms. Ruffalo's point about preparedness, particularly for reacting to the desire for additional federal programs. Mr. Lee said that this issue behooves us all to better educate congressional staff and address misconceptions about flexibility. Eric Kalivoda, Louisiana, asked a question about the transferability of new core formula programs to other existing programs. Mr. Tasaico asked for a chart of core and allocated programs. Mr. Lee said that a straightforward tip sheet could be provided.

Mr. Lee and Susan Howard, AASHTO Program Director for Transportation Finance and Director, BATIC Institute initiated the discussion of local control. Ms. Howard said that it is still unknown what the intent of local control is and that the legislative recommendations remain fluid. Mr. Lee said that the third page of the House Democrat framework discusses the practice of fund swap. He said that there isn't widespread skepticism of fund swap, but certain members have expressed concern about it. There is a desire on the Hill to learn how suballocated dollars work and are controlled.

John Selmer, Iowa, said that local agencies have been unable to spend federal dollars. Mr. Kalivoda said that the problem is that state DOTs can develop projects, but due to local politics, local governments wish to use their own consultants. Carlos Braceras, Utah, said that it is not understood what the intent of the local control conversation is in the framework, and thus we shouldn't combat it but rather see what we can do to be constructive. Laura Mester, Michigan, said that the local narrative on capacity for local agencies to administer federal programs is very different from the narrative heard on the Congressional level. Jim Tymon, AASHTO Executive Director, said that we would love for Congress to ask about best policy actions, but increasingly it seems committee staff advance initiatives due to less empowerment to push back on members' particular interests. Sondra Rosenberg, Nevada, said that MPOs have a deciding factor on project selection, but in practice, they want a bigger say in how states spend the money. Mr. Lee asked how members felt about carving out a small amount of the federal program to provide technical assistance for localities to improve their ability to use federal funds. Mr. Kalivoda said that a technical assistance program already exists. Mike Russo, New Jersey, said that the suballocation model is working in New Jersey with 92 percent of roads under local jurisdiction and there is a state resource center that helps deliver projects.

Matt Hardy, AASHTO Program Director for Planning and Policy, initiated the discussion on Performance Management and Fix It First. This discussion focused on five areas: investment in bridges (provides funding to repair or replace bridges in poor condition, including in rural areas), Fix It First (prioritizes maintaining and improving existing infrastructure and bringing it up to a state of good repair, including roads, bridges, tunnels, and ferry systems), performance-based investments (ensures current performance measures have teeth and holds states accountable to achieve improvements, and advances project planning and design approaches that result in efficient, effective, and sustainable transportation decisions, including through practical design), modernizing project planning (requires states and MPOs to prioritize transportation access and to consider during the planning process all system users, job access, connections to housing, and creation of transportation options in underserved communities), and improving transparency and accountability (requires states to report performance targets and provide project-specific data to show where and how Federal transportation dollars are spent).

Ms. Rosenberg said that the accessibility measure is good in concept but difficult to measure in practice. She said that unless the federal government gives a data source, it is premature to make it a requirement. Vice Chairwoman Lynn Zanto, Montana, commended Mr. Hardy's analysis. Mr. Selmer said that Congress needs to understand that state DOTs do more than

maintain the highway system and, from his experience, local agencies desire funds for big projects that run counter to the “fix it first” approach. Michael Sandoval, New Mexico, said that local agencies seek more assistance and guidance but less control. Mr. Lee said that the idea of a pilot program is gaining traction in Congress to consolidate all programs into a flexible pot of federal funds. Mr. Tasaico said that, as a pilot, the concept is good depending on the strings attached. Mr. Braceras said that if Congress wants to maintain control and dictate where funds go, it is difficult for states to be responsible for outcomes. Marc Williams, Texas, said that he would be interested in such a pilot, as there wouldn’t be a dramatic shift from what Texas is already doing.

Mr. Hardy initiated the discussion on Climate Change, Carbon Reduction, and Resilience. Mr. Hardy said that the House Majority framework requires states to measure greenhouse gas pollution, focuses states and MPOs on developing policies and making investments that will reduce transportation-sector pollution, supports innovative construction materials to reduce our carbon footprint, reforms the Congestion Mitigation Air Quality program to prioritize clean, zero-pollution options, and boosts investment in cycling, walking, and public transportation, including ferries. The framework also creates a new program to protect fragile or at-risk transportation assets before they fail, invest in evacuation routes, and increase resiliency to climate change and other natural disasters, including earthquakes. Finally, the framework intends to ensure that resiliency is a decision-making factor in the Federal highway planning and project selection process, with an emphasis on life-cycle and long-term asset performance. It would modify the Emergency Relief program to ensure facilities can be rebuilt better and stronger.

Mr. Lee said that AASHTO hasn’t taken a position on vehicle specificities such as CAFE (Corporate Average Fuel Economy) standards, and asked if there was any meaningful action and consideration on this matter. Mr. Braceras said that there is a role for the infrastructure owner during the implementation of electric vehicle charging stations until it is passed off to the private sector. He then asked if AASHTO should be looking into tools in preparation for mass transition to electric vehicles. Jack Marchbanks, Ohio, asked for AASHTO to provide guidance on how far state DOTs should go to prepare for electric vehicle infrastructure. Mr. Omishakin acknowledged that addressing CAFE standards was a direct approach, but state DOTs should direct investments to improve mobility. Kevin Biesty, Arizona, supported the suggestion that AASHTO addresses electric vehicle services in highway system rights of way. Nancy Daubenberger, Minnesota, said that state DOTs have a responsibility to work on on decarbonized transportation. Giles Giovinazzi, California, said that it is easy to create a grant program but wondered if it could create a long-term solution on commercial activity in highway rights of way. Pamela Cotter, Rhode Island, said that state DOTs can have an influence on where electric vehicles go, and that charging stations near transit could encourage users to transfer modes to get into cities while vehicles charge. Mr. Lee also mentioned the encouragement of innovative materials in construction as a pressing issue, and that states should be afforded flexibility in their use.

7. Lloyd Brown, AASHTO Director of Communications and Marketing, led the discussion of AASHTO’s reauthorization messaging and the Benefits of Transportation Report. He distributed copies of the newly published *The Benefits of Transportation*, which showcases

contemporary themes of state DOTs and how they enhance quality of life. The publication features themes that resonate well with focus groups and social media analysis. He said that the narrative described benefits of transportation on community and people.

Kyle Schneweis, Nebraska, gave recognition to the Committee on Transportation Communications and AASHTO staff. Mr. Lee also expressed appreciation for the Committee's efforts, as the AASHTO surface transportation reauthorization roadmap showed a clear follow-up process focused on communication.

8. The TPF adjourned for the day at 4:56 PM.