

AASHTO Transportation Policy Forum

Shawn Wilson, Chair | Vice President, AASHTO | Secretary, Louisiana Department of Transportation and Development
Burt Tasaico, Vice Chair | Strategic Initiatives & Program Support Director, North Carolina Department of Transportation
Tuesday, February 23, 2021 | 1:00 PM - 3:00 PM EST
2021 AASHTO Washington Briefing | Washington, DC

DRAFT Meeting Minutes

- The Transportation Policy Forum (TPF) was called to order at 4:03 PM by Chair Shawn Wilson, Louisiana.
- Chair Wilson welcomed everyone to the call and thanked AASHTO's sponsors. He welcomed Vice Chair Burt Tasaico, North Carolina, to give welcoming remarks to the TPF. Vice Chair Tasaico shared that the recommendations distilled at this meeting were to be shared with AASHTO's Board of Directors and four regional bodies.
- Roll Call was taken by Rebecca Anger, AASHTO Program Specialist for Policy, and the following states were present: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, 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, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.
- Chair Wilson asked for approval of the minutes from the TPF meeting at the Virtual Washington Briefing on February 23, 2021. Ron Epstein, New York, moved to approve the minutes and was seconded by Greg Slater, Maryland. The meeting minutes were approved.
- Joung Lee, AASHTO Director of Policy and Government Relations, first extended thanks for the Association's member participation in AASHTO's new initiative of one-on-one dialogue, recognized supporting staff, and highlighted the importance of open communication in advancing state policy goals. Mr. Lee then presented on AASHTO's Washington Update, beginning with the status of the infrastructure package. Given the Biden Administration proposal and Republican counteroffer, the final structure of the infrastructure package still remains to be seen, as does the final interface between the infrastructure package and a surface reauthorization bill. Mr. Lee noted that funding in the Biden bill is on top of base surface transportation funding, totaling \$720 billion over five years to roads, bridges, transit, passenger rail, safety, and aviation. The Senate Republican bill is inclusive of the base program, except for broadband, totaling \$437 billion dollars for surface transportation and aviation. Mr. Lee said AASHTO has been engaged in outreach to the bipartisan Senate group working toward a cooperative infrastructure bill, called the G20, and he thanked state DOTs for their own outreach to their Senators in the G20 group. AASHTO has recommended the following for any surface transportation policy design:

- Funding should be provided through existing highway and transit formulas and existing rail grant programs and to rural and urban areas of every state and every public transportation agency;
- Congress should limit discretionary grant funding in an infrastructure package which are burdensome and uncertain;
- Congress should avoid short obligation timelines in order to support programs which generate the most benefit through the entire life cycle of an asset, from routine improvements to major improvements with multi-decade returns on investment;
- Funding should be provided at 100 percent federal share;
- Congress should provide maximum flexibility in the use of infrastructure package funding;
- Infrastructure package is an ideal opportunity to fix the Highway Trust Fund by identifying revenue sources to allow for a timely reauthorization of surface transportation programs.

Mr. Lee then reported on reauthorization activity. The House Transportation and Infrastructure (T&I) Committee and Senate Environment and Public Works (EPW) Committee have been working toward finalizing their draft bills by their Memorial Day deadlines. House T&I is expected to hold a partisan mark-up process during this time. Other Senate committees, including Banking, Commerce and Finance, are expected to act on reauthorization in the coming months as well. AASHTO has engaged in potential policy to be included in all of these Committees' potential surface reauthorization bills, and has been contacted directly by Senators seeking AASHTO's input with respect to proposed legislation.

Mr. Lee recounted that AASHTO President Victoria Sheehan, New Hampshire, testified in a February hearing to the Senate EPW Committee on reauthorization. The day after this TPF meeting, Toks Omishakin, California, and Bill Panos, North Dakota, testified to the Senate EPW on equity in transportation infrastructure. On Thursday of this week, Ed Sniffen, Hawaii, testified to the Senate Subcommittee on Transportation, Housing and Urban Development, and Related Agencies on climate and resiliency. On the following Tuesday, President Sheehan testified to the Senate Finance Committee on surface transportation funding and finance.

Mr. Lee walked through two scenarios for an infrastructure package and surface reauthorization. First, a bipartisan approach which would allow both package and bill to move as one, but require bipartisan consensus allowing the surface transportation bill to be a core piece of the infrastructure package. This would need substantial movement from both parties on the definition of infrastructure as related to the package and reauthorization policies as well as bipartisan consensus on identifying financing options. Second, a partisan approach wherein the American Jobs Plan passes via budget reconciliation, in which case the surface reauthorization bill, which cannot be passed through reconciliation, would need to move separately. This would open up the risk that passing a large infrastructure package along party lines could hamper momentum for the reauthorization bill, in which case another extension may be needed instead – either \$5.5 billion for a one-year extension or about \$20 billion for a two-year extension.

Earlier this year, AASHTO and a large group of industry organizations asked the Treasury Department to explicitly name transportation activities as eligible under the American Rescue Plan's state and local aid. The Treasury's interim final rule stated that government services are eligible, including road infrastructure, found on page 60 of the interim guidance. To calculate revenue loss, states can use actual estimated revenue loss for the next three years or the national average of 4.1 percent, calculation options found on page 57.

- Chair Wilson began the discussion of key Biden Administration priorities and AASHTO policy recommendations, which was to inform a revised draft white paper that would direct policy discussion at the AASHTO Board of Director's meeting and later regional Association discussions, and which will add depth to the Legislative Action Agenda.

Chair Wilson then discussed the priority of equity. He began with noting AASHTO's recently passed Resolution on Race, Equity, Diversity, and Inclusion and the engagement of AASHTO's Civil Rights Committee. He then reviewed the white paper recommendations on equity:

- AASHTO supports the Administration's effort to redress historic inequities and building the future of transportation infrastructure. A federal program designed to reconnect communities separated by infrastructure barriers should be discretionary and decisions on how to address such barriers should be provided to the owners and operators of infrastructure such as state DOTs.
- AASHTO supports efforts to invest in job training for formerly incarcerated individuals and justice-involved youth and in improving public safety by supporting creating pathways to higher-skilled transportation-related jobs for reentrants.
- AASHTO supports establishment of a task force with state DOT representation to provide recommendations to address current and future state and needs of the transportation workforce, factors and barriers influencing and attracting individuals to transportation careers, barriers to retraining individuals in transportation careers, potential impacts of emerging technologies, access for vulnerable or underrepresented populations to high-skill, in-demand careers, elementary, secondary, and post-secondary students to pursue transportation careers, and pathways for students and individuals to secure work-based learning opportunities in the surface transportation sector.
- The Americans with Disabilities Act strives to ensure access to the built environment for people with disabilities. To facilitate this access, the US Access Board determined more than a decade ago that additional guidance was necessary to address conditions and constraints unique to public rights-of-way by developing the Public Rights-of-Way Accessibility Guidelines (PROWAG) which addresses transportation-specific issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. Adoption of PROWAG in regulation should be finalized as it would provide transportation agencies with solid, researched solutions for accessibility within their transportation corridors and ensure consistency across the country in the application of accessibility features within the streetscape.
- AASHTO supports bringing all passenger rail and transit stations to Americans with Disability Act standards.

- Equity is a major concern regarding electric vehicle charging infrastructure placement as well as the cost of EVs. Any proposed grants/incentives should include requirements to address equity of charging placement and access, the priority should be to place public charging infrastructure in places where it currently does not exist or where people do not have garages/the ability to charge at home (for example, places in urban areas with on-street parking). In addition, Disadvantaged Business Enterprises (DBEs) and communities should be provided a level playing field to participate in electric vehicle charging infrastructure contracting and procurement opportunities.

Mr. Lee added that AASHTO's evolving white paper most recently includes the recommendations that Congress should consider managed relocation due to climate change and extreme weather; and that it is critical to stress the need to invest in and deploy zero emission buses in small urban and rural communities, as well as specialized transit vehicles for persons with disabilities, seniors and veterans with disabilities.

Marc Williams, Texas, commented that the intent behind the language needs to be considered when translating text from a resolution to a white paper meant for a Hill, policy-making audience. Roger Millar, Washington, commented to first, please consider adding ADA compliant station access to the statement on ADA and transit stations. Second, please consider adding the following to the statement on flexible design standards – design flexibility is essential to consider and mitigate effects of both past and future projects on racial equity and barriers to opportunity, including automobile dependence as a form of barrier.

- Patrick McKenna, Missouri, then introduced the priority of safety, noting the loss of 42,000 fatalities on roads, \$400 billion estimated costs of roadway trauma, and sharp decline in roadway safety from 50 years ago. He then reviewed the white paper recommendations:
 - AASHTO encourages federal support of flexible design practices including, but not limited to, complete streets, context sensitive design, safe systems, and practical design. These transportation policy and design approaches require streets to be planned, designed, operated and maintained to enable safe, convenient, comfortable, and cost-effective travel and access for users of all ages and abilities regardless of their mode of transportation.
 - They will also help states look beyond simple modes of crash causation critical factors and passive safety constructs to reduce driver error.
 - The federal program should provide technical and policy support and periodic reviews of federal requirements that may hinder adoption and implementation of these design practices. Prescriptive requirements that do not recognize the local context and preferences may discourage states from adopting the most effective approaches for their programs.
 - The federal program should expand flexibility for states to address all fatality and injury risks, as states need the flexibility to prioritize and address their traffic fatality and injury-related needs in a manner that best serves all road users in the entire state.
 - That being said, specific programs, initiatives, or concepts related to the elimination of fatalities and serious injuries can help agencies organize and bolster their safety

- efforts and provide technical and policy support as long as states have the option of participating in such programs and the programs do not prescribe specific methods and countermeasures that may not be appropriate in all states, contexts, or situations.
- The State Highway Safety Plans (SHSPs) should remain as the umbrella documents to coordinate multidisciplinary safety efforts in each state and to guide the use of Highway Safety Improvement Program (HSIP) funds.
 - HSIP should look to continue providing states with maximum flexibility to determine the most appropriate manner in which to address safety needs for all road users, and should maintain HSIP eligibility for all safety strategies.
 - HSIP should also support states' flexibility to adopt a safety vision, goals and targets that best suit their needs and should also support their flexibility to develop their own guidance and resources to work toward their own vision, goals, and targets and to use any resources from any source that may be appropriate.
 - HSIP eligibilities should be expanded to include innovative countermeasures and programs to address safety concerns in all contexts (grade crossings, work zones, school areas, rural roads, urban areas, etc.) and to restore MAP-21 eligibilities for HSIP on non-infrastructure safety activities.
 - AASHTO supports the American Jobs Plan's call for "increases to existing safety programs" and would be interested in helping to define the "new Safe Streets for All program."
- Roger Millar, Washington, introduced the priority of public transportation. He said that the AASHTO Council on Public Transportation applauded the Biden Administration's decision to invest in public transportation and modernize the multimodal transportation system, of which DOTs play a key role. He said that DOTs' success in serving community needs through transit, acting as direct federal funding recipients for public transit in small urban and rural communities, and acting as leaders in the clean energy transit field, has relied on strong federal-state funding partnership. In 2019, the federal government provided about \$11 billion while state DOTs cumulatively provided about \$20 billion in transit. He then reviewed the white paper recommendations:
 - Federal formula funding for transit should avoid prioritizing frequency of service, a term generally associated with urban transit systems. This metric fails to properly consider the needs of small urban, rural and specialized transit systems operated by sub-recipients of state departments of transportation.
 - It is critical to stress the need to invest in and deploy zero emission buses in small urban and rural communities, as well as specialized transit vehicles for persons with disabilities, seniors and veterans with disabilities.
 - Any procurement reforms must acknowledge that rules and regulations for transit vehicle and equipment procurement differ in each state, and that extensive resources are involved in developing statewide procurements considering a variety of factors inherent to the state when developing statewide procurement.

Sondra Rosenberg, Nevada, commented she prefers the "zero emissions" language versus "electric" as is in Transit – the Forum might consider that for Equity as well. This could

mean hydrogen or other “zero or low emission” vehicles as EV might not be the best approach in all areas or applications.

- Joe Giulietti, Connecticut, introduced the priority of passenger rail. He said that AASHTO applauds the emphasis President Biden placed on investing in infrastructure to modernize multimodal transportation, that the American Jobs Plan is a solid first step toward generational change, and that DOTs look forward to working with the Hill to achieve the passenger rail priorities of the Biden Administration. He said that states support intercity passenger rail services on Amtrak routes 750 miles or less outside the Northeast Corridor, but he called for the need for a national rail network going forward with a long-range investment going beyond 2035. He then reviewed the white paper recommendations:
 - AASHTO supports the continued eligibility in federal rail grant programs for state of good repair backlog projects on the Northeast Corridor and the National Network, including the replacement of locomotives and other passenger rail equipment.
 - AASHTO supports establishing new or improved intercity, commuter or higher-speed passenger rail corridors with grants to states for operating and capital assistance. Similar to federal operating subsidies for Amtrak, such support could help provide service to new markets or markets that are currently underserved by other modes of transportation.
 - AASHTO supports bringing all passenger rail stations to Americans with Disability Act standards.
 - AASHTO supports grant eligibility for grade separation projects and to address freight capacity projects through the existing Consolidated Rail Infrastructure and Safety Improvements (CRISI) grants.
 - AASHTO strongly supports updating federal legislation to clarify that states are not rail carriers if they do not operate a rail service.

He concluded with a call for continued discussion on the state-local match/share, the formulas for distribution of funds, and growth potential in the underlying programs.

Ms. Rosenberg said that matches and shares are important for state DOTs, as even if supported by a federal grant, no eligible funds exist on the state and local side to deliver projects. Mr. Giulietti responded that rail needs clearer guidance and more funding to support the expanding national system. Chair Wilson added that he would welcome open communication between those states more familiar with passenger rail and those states beginning new rail programs. Brad Thoburn, Florida, said that Florida currently faces that emergence of private sector investments in intercity rail and would ask how states can reconcile private systems with Amtrak and other options. Mr. Giulietti responded there’s a lot to talk about in that space, and referenced public-private partnerships as well as a Japan model of converting the land around stations into transit oriented developments (TODs) used to offset operating costs. John Lawson, Virginia, emphasized the second recommendation on funding grants for operating and capital assistance, saying that through Virginia’s Transforming Rail in Virginia initiative, he has come to understand that commuter rail is seen so differently from intercity passenger rail that states need capital grant programs to support intercity passenger rail.

- Tim Henkel, Minnesota, introduced the priority of “Fix It Right” and performance management. He highlighted AASHTO’s work: supporting state DOTs through the rollout of a robust transportation performance management program; partnering with the Hill and key stakeholders; and advocating for performance measures focused on efficiency, equity, inclusion, accessibility, mobility, resilience, and sustainability. He noted where AASHTO’s policy recommendations are built from: the MAP-21 framework of traditional performance measures that include the safety categories of asset condition and safety performance; state requirements to develop plans that include the federally required transportation asset management plan which focus primarily on road and bridge asset conditions. He said that states and MPOs must develop an integrated performance-based planning and programming process that results in long-range transportation improvement plans which link funding to projects and performance targets. With the federal transportation performance management framework still in its early iteration, the first four-year reporting cycle not yet complete this year, and states focused on maintaining current asset conditions and limiting expansion to safety and strategic operating considerations, he said the federal transportation performance management framework must be ensured to work as intended. He said AASHTO acknowledges that the focus of state DOTs will evolve, that DOTs must serve their communities and stakeholders, and that efforts must seek to enhance the current performance management program and framework to focus on long-term outcomes addressing equity, the environment, system resilience, mobility, and accessibility.

He reviewed the white paper recommendations:

- Ensure and support an asset management approach.
 - Managing the transportation system—and the assets it comprises—must remain a core function of the asset owner and operator.
 - State DOTs must be able to set performance targets.
 - Ensure that everyone understands the purpose of performance management which goes beyond targets and funding.
 - Penalties cannot be tied to funding.
 - Provide an open and inclusive dialogue on the future of the performance management program.
 - Ensure all performance measures are practical, reasonable, and meaningful.
 - Definition of “new capacity” is nuanced.
- Tim Sexton, Minnesota, introduced the priority of greenhouse gas reduction. He said the Committee on Environment has been well positioned to address transportation sector greenhouse gas emissions. These recommendations are meant to be consistent with AASHTO’s broader policy platform around funding performance measures. He reviewed the white paper recommendations:
 - If standing up a new GHG performance management program, Congress should recognize the need to create a framework that provides meaningful impact on performance rather than a data analysis and reporting exercise. Also, the federal program should recognize that the ability of any one state DOT agency to have any meaningful effect on the national measures or achieving targets is limited.
 - The success of a broader carbon reduction program tied to GHG performance measures needs to include federal government (CAFE standards) state DOTs

- (infrastructure owners), local DOTs (infrastructure owners), and land use agencies (affecting demand).
- Any carbon reduction program or performance measure(s) should not be tied to funding as a means to either incentivize or disincentivize certain actions.
- Performance measures should cover the extent of the roadway system and not be limited to a particular type or designation.
- Potential GHG measures could look to:
 - Carbon Dioxide (CO₂) Emissions Generated by On-road Mobile Sources—Simple and straightforward measure that is easily calculated and understandable.
 - Per Capita CO₂ Emissions Generated by On-road Mobile Sources—More complex measure that includes the interaction of population growth or decline for a geographic region.
- GHG reduction efforts should look to target urbanized areas, as urban system users likely have more modal choices available.
- Congress should also look to the MPOs as the focus with the GHG measures coming through the metropolitan planning and decision-making process as they directly include federal, state, regional, and local decision makers as part of the discussion.
- Congress should support states in continuing to partner with MPOs in planning, designing, constructing, and operating transportation projects in the MPO area that will address the GHG target for the urbanized area.

Allison Camden, Washington State, shared concern that the recommendations minimize the role state DOTs have to play compared to MPOs, particularly with regards to the first recommendation. Ms. Rosenberg said that she appreciated the focus on urbanized areas and MPOs as Nevada DOT lacks the ability to take action on certain topics including transit and related land use. Given Ms. Camden's point, she recognizes that the language may need consideration, but appreciates that inclusion of MPOs in the text. Eric Kalivoda, Louisiana, asked: how does sequestration, such as reforestation and natural sequestration, fit into our GHG recommendations; and what about the impact on transportation revenues from GHG reduction strategies, such as conversion to alternative fuels? Matthew Hardy, AASHTO Program Director for Planning and Performance Management replied that AASHTO staff have discussed including the following in the white paper: de-carbonization of transportation through a GHG or carbon reduction program needs to be tied to decoupling transportation revenue with the gas tax – both VMT and electrification of the transportation fleet are viable means to reduce GHG but will have added effect of reducing revenue to spend on maintain and improving the transportation system. Mr. Williams commented that the Forum should probably recognize that a major roll-out of EV charging infrastructure (500,000 charging stations) based on grants and discretionary programs may not effectively ensure a strategic and system-wide deployment.

- Drew Gilmore, Ohio, introduced the priority of broadband deployment. He said over ten DOTs across the country have been engaged in feedback on broadband policy with the Hill, wherein the Biden Administration has proposed \$100 billion toward broadband rollout within the infrastructure package. DOTs have two important outstanding pieces of broadband legislation: the EPW draft provisions to Section 1603 of the Moving Forward Act, and

FHWA guidance on leveraging alternative uses of the highway for things like broadband, energy generation, and EV charging. He reviewed the white paper recommendations:

- To support broadband deployment in highway rights-of-way, federal legislation should recognize current best practices being undertaken by state DOTs – and avoid a one-size-fits-all approach.
- Specifically, the federal government should not eliminate the responsibility of technology companies to provide broadband services, and should recognize the appropriate role of state DOTs related to the deployment and maintenance of broadband infrastructure.
- In addition, the federal government should provide greater clarity related to the types of projects included in a “Dig Once” policy and ensure that the universe of covered projects is appropriately defined.
- Any federal Dig Once policies created should not conflict with current state laws and federal regulations related to use of the highway right-of-way.
- A new federal initiative should not create an unfunded mandate on state DOTs related to broadband deployment.

Kevin Biesty, Arizona, commented that he fully supports commercialization within the right-of-way. He does not believe that fighting to get state DOTs to provide “fuel” for EVs when there are currently businesses along the current system providing this to the public is the most expedient way to roll out EV infrastructure. Mr. Gilmore noted that the recent FHWA guidance speaks directly to allowing EV charging in the right-of-way wherein they determine that EV charging would not constitute commercial activity.

- Ed Sniffen, Hawaii, introduced the priority of resilience. He said that states have been putting a priority on resilience to combat both extreme weather events and man-made events like cyber-attacks. That flexibility in definitions is important to states, who are addressing challenges in funding, staffing limitations, and lacking technical knowledge. He reviewed the white paper recommendations:
 - Congress should recognize that when it comes to resilience, states’ readiness can vary widely.
 - The definition of resilience is critical and should not be related simply to the ability of an asset not failing during certain events, such as a bridge strike or a category five hurricane; rather, it needs to involve the ability of the state DOT to:
 - Anticipate, plan and adapt to potential risks,
 - Withstand, respond to, or recover when an event occurs, and;
 - Construct and maintain assets that decrease project vulnerability risks.
 - Congress can support improved resilience by expanding current core formula program eligibilities to include resilience improvements.
 - Congress should consider a formula funding set-aside focused on resilience-related planning and coordination and evacuation.
 - If Congress prefers a discretionary grant program, it should look at eligibilities focused on the following adaptation strategies:
 - Better incorporating resilience into the planning process
 - Better incorporating resilience into design standards
 - Better incorporating resilience into operations plans

- Engineering new assets that are more resilient
 - Retrofitting existing assets to make them more resilient
 - Better incorporating resilience into asset management plans
 - Increased maintenance
 - Increasing redundancy to the transportation system
 - Relocating assets to avoid damage
 - Consider support for managed relocation, as this adaptation strategy is often considered for routes in rural areas and would affect underserved communities.
 - Congress should avoid new plans, programs, and analysis processes that increase cost and burden to state DOTs, and a segmented definition of resilience that focuses solely on climate change, extreme weather events, or assets rather than an all-hazards approach which includes agency and asset performance.
- Nancy Daubenberger, Minnesota, introduced the priority on EV charging infrastructure. She said that AASHTO supports the national goal of increasing the share of electric vehicles, and she thanked the EV Working Group for helping formulate the current recommendations. She reviewed the white paper recommendations (subject to further revision by EV Charging Working Group by 5/7/21):
 - State DOTs should be provided flexibility to allow commercial activities in the highway rights-of-way, along with the flexibility to determine its level of involvement in EV charging infrastructure ownership, financing, operations, and maintenance.
 - If a discretionary grant program is created, the federal program should establish a programmatic application process to streamline evaluation and grant award. This will also speed up the grant award timeline and minimize application preparation costs.
 - After a certain timeframe, such as two years from date of grant availability, unexpended budget authority from all discretionary grant programs should be pooled and converted into NHPP apportionments to all states.
 - Equity is also a major concern regarding charging infrastructure placement as well as the cost of vehicles. Any proposed grants/incentives should include requirements to address equity of charging placement and access, and priority should be to place public charging infrastructure in places where it currently does not exist or where people do not have garages/the ability to charge at home (for example, places in urban areas with on-street parking). In addition, Disadvantaged Business Enterprises (DBEs) and communities should be provided a level playing field to participate in electric vehicle charging infrastructure contracting and procurement opportunities.

Ms. Rosenberg commented that she thinks it appropriate for AASHTO to provide a policy statement on EVs as this is a big and ongoing issue and the role of the state DOT is unclear. Her earlier comment about broader zero-emission language was more important regarding equity and transit, but a statement about the state DOT's role in other fuel types might be helpful. Mr. Millar commented that trucks are another potential user of the other fuel types Ms. Rosenberg mentioned. Ms. Rosenberg agreed that trucks and buses might be better suited for other fuels that still provide sought benefits and impact funding. She commented that AASHTO should want to be a partner on greenhouse gas reduction, but posed the questions: should AASHTO take a different role on zero emission fuels than we do with gas

and diesel; and if so, should AASHTO pick one or be agnostic as long as the fuels help achieve sought goals?

- Lori Tudor, Arkansas, introduced the priority of the bridge program. She said that the American Jobs Plan proposed \$115 billion to highways and bridges, of which \$40 billion would be for bridges specifically. The \$40 billion would be distributed to states over eight years as a discretionary grant program which prompts concerns: it will interfere with state transportation asset management plans; state DOT ability to view their bridges as part of wider systems; and will limit state flexibility. She reviewed the white paper recommendations:
 - If a separate bridge program is desired, the core formula program with existing transportation asset management program should serve as the foundation. The focus should be on improving the management of bridges in general, knowing that simply implementing a transportation asset management approach does not mean conditions will improve without the needed resources being included as well.
 - AASHTO also recognizes that it is difficult to pay for major bridge projects even with larger formula apportionments. For such projects, the Nationally Significant Freight and Highway Projects discretionary grant could be refashioned as a multimodal “megaprojects” funding program similar to FTA Capital Investment Grants for New Starts with:
 - A minimum funding threshold
 - Support for multistate projects
 - Eligibilities including reconstruction, rehabilitation, and new capacity, for all modes of publicly-owned surface transportation assets
 - If a program focused on smaller bridges is desired, Congress needs to identify a clear definition of small bridges, such as project cost or deck area. In addition, funding should be distributed via formula for bridges both on and off of the Federal-aid Highways outside of the Interstate Highway System.

Mr. Slater agreed with Ms. Tudor that states can deal with 90 percent of asset management program requirements with stable funding and a strong asset focus, but the big assets “1B plus” will impact a DOT’s program for years. Chair Wilson agreed with Mr. Slater and Ms. Tudor that the failure to address large mega projects risks doing more damage to local communities given the backdrop of changing political and administrative priorities at the state and local levels. Paul Degges, Tennessee, asked, regarding the last recommendation point: for Bridges, instead of saying “smaller bridges” should the text say for bridge projects not considered “megaprojects” to capture the differences in small, medium, large, and extra-large bridges? Chair Wilson responded that small bridges account for 90 percent of members’ respective portfolios.

- Vice Chair Tasaico introduced the priority of state-local partnership. He said the delivery of the federal aid program is often not compatible with smaller infrastructure improvements administered by local governments. Recently, state DOTs have adopted a funds-swapping system to help alleviate the complications of translating funding between federal and local governments. He reviewed the white paper recommendations:

- States and their local partners should continue to be provided the flexibility to administer the Federal-aid program in ways that improve efficiency and reduce the project development timeline.
- Based on LTAP and TTAP, the federal program can further encourage best practices on technical assistance for local and tribal governments.
 - State DOT project managers can provide expertise and guidance as needed to help speed project delivery and ensure compliance with federal requirements, including guidance for environmental reviews and right-of-way acquisition.
 - State DOTs can also support local entities while minimizing oversight costs. Specific functions that state DOTs typically provide are tracking fund usage and providing monthly updates on current balances, and all obligation administration for MPOs under the FHWA Financial Management Information System (FMIS).
- The federal government should not place any restrictions on the establishment of federal funds swap programs. Local governments have universally benefited from and support the ability to use state funds in lieu of federal funds to deliver local projects.
- The federal program should look to provide greater flexibility for obligation timing. Frequently, MPOs accumulate suballocated funds for more than one year in order to fund a larger project than yearly suballocations would allow. To help ensure obligation limitation is available in the year that the local government project is programmed, continue allowing states to adjust obligations on state projects within the multiyear program so that locally-sponsored federal-aid projects have increased flexibility to obligate funds on projects when the projects are ready to proceed.

Christy Hall, South Carolina, recommended that AASHTO stick to its overarching policy that formula-based funding is preferred as discretionary grant programs are not equitable and states are at the mercy of the administration's priorities. Mr. Millar commented that the other issue with discretionary grants is federal agency capacity to move the money in a timely manner, as TIGER was a big lift for USDOT and it was relatively small.

- In open discussion, Mr. Williams commented he felt concern that this white paper deviated from past papers in that it focused on addressing the American Jobs Plan rather than reauthorization or infrastructure more generally, which might limit this paper's audience reach. Ms. Rosenberg agreed that AASHTO policy statements should be overarching, to be applicable to general or specific legislation and allow states to dive deeper as needed for specific purposes. Chair Wilson responded that he saw this paper as AASHTO being responsive to policy questions Congress has asked for information on, and he sees this document as fluid while also allowing AASHTO to address the existing policy in the American Jobs Plan. Mr. Lee responded that this white paper is seeking to expand upon the topics lacking from AASHTO's original reauthorization document. Since the Republican infrastructure proposal focused on addressing content of the American Jobs Plan, and Congress as a whole is deliberating the priorities outlined in the American Jobs Plan, Mr. Lee hoped that this white paper may serve to provide state perspective on transportation priorities which are being discussed across the board.

Mr. Lee confirmed that President Sheehan has asked to seek regional input by the end of May, so that the white paper may be prepared by early June.

- The TPF adjourned for the day at 5:59 PM.