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# A G E N D A

Wednesday, October 28 - 9:00 AM  
Board of Supervisors Chambers  
175 Fulweiler Avenue, Auburn, CA 95603

- A. **Flag Salute**
- B. **Roll Call**
- C. **Approval of Minutes: August 26, 2015** **Action**  
Pg. 1
- D. **Agenda Review**
- E. **Public Comment**
- F. **Consent Calendar** **Action**  
Pg. 5  
These items are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. Any Board member, staff member, or interested citizen may request an item be removed from the consent calendar for discussion.
1. Master Agreement and Letter of Task Agreement #16-01 with Michael Baker International, Inc. to Conduct Triennial Performance Audits of PCTPA and Transit Operators – \$35,000 Pg. 7
  2. FY 2015/16 Placer County Claims for Local Transportation Funds (LTF) - \$5,405,273 Pg. 21
  3. Social Services Transportation Advisory Council (SSTAC) Membership Pg. 27
- G. **9:15 A.M. – TIMED ITEM – Annual Unmet Transit Needs Public Hearing** **Action**  
Pg. 28

**ADJOURN AS THE PLACER COUNTY TRANSPORTATION PLANNING AGENCY**

**CONVENE AS THE WESTERN PLACER  
CONSOLIDATED TRANSPORTATION SERVICES AGENCY**

- H. **FY 2015/16 Budget Amendment #1** **Action**  
Pg. 30

**ADJOURN AS THE WESTERN PLACER  
CONSOLIDATED TRANSPORTATION SERVICES AGENCY**



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| <p><b>PLACER COUNTY TRANSPORTATION PLANNING AGENCY</b><br/> <b>MINUTES</b><br/> <b>August 26, 2015</b></p> |
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A regular meeting of the Placer County Transportation Planning Agency (PCTPA) met on Wednesday, August 26, 2015 at 9:00 a.m. at the Board of Supervisors Chambers, 175 Fulweiler Avenue, Auburn, California.

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| <b>ROLL CALL:</b> | Brian Baker<br>Tony Hesch<br>Jim Holmes<br>Paul Joiner<br>Keith Nesbitt<br>Susan Rohan<br>Diana Ruslin<br>Ron Treabess<br>Kirk Uhler | Celia McAdam<br>Aaron Hoyt<br>Shirley LeBlanc<br>Luke McNeel-Caird<br>David Melko<br>Solvi Sabol |
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**MINUTES**

Upon motion by Nesbitt and second by Holmes the minutes from the June 24, 2015 PCTPA meeting were approved, with an abstention by Joiner and Ruslin.

**PUBLIC COMMENT**

Lee Bastien, Sheridan Municipal Advisory Committee (MAC) member, advised the Board that Yuba County has a large development project moving forward that will impact SR 65 and the Sheridan community.

**AGENDA REVIEW**

Celia McAdam requested that Item F1, FY 2015/16 Final Findings of Apportionment for Local Transportation Fund be removed from the Consent Calendar, with the revised item provided to the Board.

**CONSENT CALENDAR**

Upon motion by Baker and second by Uhler, Consent Items F2 and F3 were unanimously approved.

**FY 2015/16 FINAL FINDINGS OF APPORTIONMENT FOR LOCAL TRANSPORTATION FUND**

Aaron Hoyt explained that Consent Item F1 was pulled as there were some adjustments to the Local Transportation Fund (LTF) apportionments. These adjustments, which were due to the Low Carbon Transit Operations Program, were agreed upon by the jurisdictions and are revenue neutral. With a motion by Joiner and second Rohan, the revised FY 2015/16 LTF apportionment provided to the Board was unanimously approved.

**ADJOURNED AS PLACER COUNTY TRANSPORTATION PLANNING AGENCY**

**CONVENED AS THE WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY**

**CONSENT CALENDAR**

Upon motion by Holmes and second by Rohan, the Consent Calendar was unanimously approved.

**ADJOURNED AS THE WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY**

**CONVENED AS THE PLACER COUNTY TRANSPORTATION PLANNING AGENCY**

**FIX OUR ROADS COALITION PRINCIPLES**

Celia McAdam asked the Board to endorse the principles of the Fix Our Roads Coalition based on the legislative extraordinary session regarding transportation and infrastructure development. McAdam added that these principles are in alignment with other bills that the Board has shown support, including SB 16 and SCA 7. A coalition has been formed to guide the legislature as they move forward in the 1<sup>st</sup> Extraordinary Session.

With a motion by Nesbitt and a second by Treabess, the Board endorsed the principles of the Fix Our Roads Coalition by the following roll call vote:

**Ayes:** Baker, Hesch, Holmes, Nesbitt, Rohan, Ruslin, Treabess  
**Noes:** Joiner, Uhler  
**Abstentions:** None

**PUBLIC HEARING: I-80/SR 65 INTERCHANGE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT / ENVIRONMENTAL ASSESSEMENT**

Diana Ruslin opened the public hearing at 9:15 a.m. Luke McNeel-Caird explained that this public hearing is being held to obtain public input on the Draft Environmental Impact Report/Environmental Assessment (EIR/EA) for the I-80/SR 65 Interchange Improvement Project.

Luke McNeel-Caird provided an overview of the project and the need for the project – notably the safety issues as a result of traffic congestion. He explained the public outreach process for this project. McNeel-Caird then described the three buildable alternatives that the Board concurred with in 2013 as part of the environmental analysis. Based on input from the Federal Highway Administration (FHWA), Caltrans, Roseville, Rocklin, Lincoln, and the County of Placer and subject to public review and comment, McNeel-Caird said that Alternative 2 - Collector-Distributor (C-D) System Ramps is the preferred alternative.

Luke McNeel-Caird reported that the Notice of Availability (NOA) for the Draft EIR/EA was released on August 3<sup>rd</sup> and that the Draft EIR/EA is available for public comments at several locations and on the I-80/SR 65 website, with comments due to Caltrans by September 16<sup>th</sup>.

Wayne Lewis, Caltrans Project Manager, spoke in support of Alternative 2 stating that he believes it will most appropriately serve the varied needs of motorists using the interchange.

Irene Smith asked for consideration in building an off-ramp for emergency vehicles that would go directly from the interchange to Sutter Roseville Hospital.

Chair Ruslin closed public hearing.

**PRESENTATION: TRANSPORTATION FUNDING STRATEGY POLLING AND FOCUS GROUP RESULTS**

Celia McAdam explained that polling was conducted in May, 2015 as part of the Strategic Funding and Outreach Work Plan. McAdam introduced Curt Below of Fairbank Maslin, who provided a detailed analysis of the results of this polling effort. The general outcome was that while people don't like traffic congestion, they are more concerned about government waste. The other issue is the lack of understanding regarding who/what PCTPA is/does. The majority, 61%, would support a local transportation sales tax, which falls short of the two-thirds majority required to pass a transportation sales tax.

Jeff Flint, FSB Core Strategies, reported on the focus groups that were conducted as part of the Strategic and Outreach Work Plan. Flint explained these groups were made up of people who were most skeptical of a local transportation sales tax. In line with the polling results, the focus groups weren't familiar with PCTPA and were discouraged by government's track record of spending tax dollars appropriately. Accountability and being specific about the projects that a local transportation sales tax would fund are key as we move forward, Flint noted.

**DRAFT TRANSPORTATION SALES TAX EXPENDITURE PLAN**

Celia McAdam asked the Board for authorization to release the Draft Transportation Sales Tax Expenditure Plan as a starting point for public consideration. The plan, McAdam added, will start the public conversation about who we are as an Agency and the gap between our transportation needs and our available funding. McAdam said the draft plan provided to the Board specifies those projects that could be funded with a local transportation sales tax, with an emphasis on leveraging additional funds. McAdam outlined key features of the expenditure plan, and explained that it has been vetted through jurisdiction management and is a starting point for future discussion.

With a motion by Holmes and second by Jointer the Board authorized staff to release the Draft Transportation Sales Tax Expenditure Plan.

**EXECUTIVE DIRECTOR'S REPORT**

Celia McAdam reported that there is a Sacramento to Roseville Third Track tour on September 1<sup>st</sup> which is being organized by the Capitol Corridor rail service.

Celia McAdam explained that the annual Tahoe Summit occurred recently. At this Summit, governors and senators from California and Nevada come together to discuss issues relevant to both states. One of the outcomes in these high-level discussions, was an interest in reexamining

rail to Reno. McAdam added that legislative staff is exploring this issue but wanted to make the Board aware as any progress to rail to Reno will ultimately benefit rail service in Placer County.

Lastly Celia McAdam reported that the United Auburn Indian Community recently signed a new compact with the State which includes \$9 million for off reservation infrastructure. McAdam added that she will be meeting with the Tribe to discuss how transportation will fit into an overall infrastructure plan. She will keep the Board posted.

Chair Ruslin adjourned the meeting at 10:37 a.m.

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Celia McAdam  
Executive Director


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Diana Ruslin, Chair



***MEMORANDUM***

**TO:** PCTPA Board of Directors **DATE:** September 9, 2015

**FROM:** Celia McAdam, Executive Director 

**SUBJECT:** CONSENT CALENDAR

Below are the Consent Calendar items for the October 28, 2015 agenda for your review and action.

1. Master Agreement and Letter of Task Agreement #16-01 with Michael Baker International, Inc. to Conduct Triennial Performance Audits of PCTPA and Transit Operators – \$35,000  
Staff recommends approval of the attached Master Agreement and Letter of Task Agreement with Michael Baker International, Inc. to conduct Triennial Performance Audits of PCTPA and the five transit operators, during FY 2015/16 in the amount of \$35,000. The performance audit is required every three years for PCTPA and each transit operator funded through the Transportation Development Act (TDA). The audits assess PCTPA and transit operator compliance with TDA; reviews implementation of prior performance audit report recommendations; and identifies and evaluates transit related functions and activities. Three proposal were received, with Michael Baker International ranked highest by the Evaluation Committee. The TAC concurs with the staff and committee recommendation.
2. FY 2015/16 Placer County Claims for Local Transportation Funds (LTF) - \$5,405,273  
Placer County submitted claims for \$5,405,273 in LTF funds for FY 2015/16 - \$3,405,273 for transit and \$2,000,000 for streets and roads maintenance. The County's claims are in compliance with the approved LTF apportionment, and all transit needs that are reasonable to meet are being provided. Staff recommends approval, subject to the requirement that the County submit a complete Fiscal and Compliance Audit for the fiscal year ending June 30, 2015, prior to issuance of instructions to the County Auditor to pay the claimant in full.
3. Social Services Transportation Advisory Council (SSTAC) Membership  
As the part of PCTPA's responsibility to administer Transportation Development Act (TDA) funds, the agency is required to establish a Social Services Transportation Advisory Council (SSTAC). Under the TDA, the SSTAC's responsibilities are three-fold:
  - Annually participate in the identification of unmet transit needs;
  - Annually review and recommend action by the transportation planning agency regarding any recommendations and findings relative to unmet transit needs; and
  - Advise the transportation planning agency on any other major transit issues, including the coordination and consolidation of specialized transportation services.

**Board of Directors  
Consent Calendar  
October 2015  
Page 2**

SSTAC membership is guided by the TDA and shown on the attached member roster. Members are appointed by the Board and subject to a three year term of appointment that may be renewed for an additional three-year term by Board action. Due to recent membership changes, staff recommends Board approval of the attached member roster to reflect changes in staffing a for the Cities of Auburn, Colfax, Lincoln, Rocklin, the Town of Loomis, Seniors First, and the additional of David Soto from the Area 4 Agency on Aging. Mr. Soto's experience with the Area 4 Agency on Aging has afforded him the opportunity to work with seniors, non-profits, and governmental organization in the needs assessment and funding of transportation services for seniors in Placer, Yolo, Sutter, Nevada, Yuba, and Sierra Counties for over three decades. The remainder of the member roster was reappointed for a three-year term in December 2013.





PLACER COUNTY  
TRANSPORTATION  
PLANNING AGENCY

KEITH NESBITT  
City of Auburn  
TONY HESCH  
City of Colfax  
STAN NADER  
City of Lincoln  
BRIAN BAKER  
Town of Loomis  
DIANA RUSLIN  
City of Rocklin  
SUSAN ROHAN  
City of Roseville  
JIM HOLMES  
KIRK UHLER  
Placer County  
RON TREABESS  
Citizen Representative  
CELIA MCADAM  
Executive Director

October 28, 2015

Philip O. Carter, Vice President  
Michael Baker International  
2729 Prospect Park Drive, Suite 220  
Rancho Cordova, CA 95670

SUBJECT: LETTER OF TASK AGREEMENT #16-01  
BETWEEN MICHAEL BAKER INTERNATIONAL AND  
THE PLACER COUNTY TRANSPORTATION PLANNING AGENCY

Dear Mr. Carter:

This letter, when countersigned, authorizes work under the "Master Agreement between the Placer County Transportation Planning Agency (PCTPA) and Michael Baker International, dated October 28, 2015.

1. Incorporated Master Agreement: This Letter of Task Agreement (LTA) is the statement of contract-specific requirements applicable to the work effort to be undertaken by Michael Baker International to conduct Triennial Performance Audits for PCTPA and five transit operators.
2. Term: Consultant services are to commence October 28, 2015 and shall be completed in such a sequence as to assure that project is on budget and on schedule. This LTA shall end June 30, 2016. Extensions to this LTA may be made with the agreement of both parties. During the term of this LTA, you are not to engage in other work that would be deemed a conflict of interest with PCTPA interests.
3. Scope of Services: Consultant will complete Triennial Performance Audits for PCTPA and five transit operators as outlined in your Proposal dated August 28, 2015. David Melko, Senior Transportation Planner, will act as Project Manager on behalf of PCTPA.
4. Personnel: The consultant team's personnel are identified in their Proposal.
5. Compensation: For services rendered, Consultant compensation shall not exceed \$35,000. Consultant will invoice on a monthly basis based upon percentage of work completed. Such invoices shall includes tasks completed, hours associated with each task, and hourly rate. Invoices will be paid within 30 days of receipt. PCTPA will withhold ten percent (10%) of the payments due until successful completion, delivery and PCTPA Board acceptance of all the final audits.

If this Letter of Task Agreement meets with your approval, please sign and return one copy. Questions concerning this agreement and the project in general should be directed to David Melko, Senior Transportation Planner at (530) 823-4090.

Sincerely,

Accepted by:

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Celia McAdam                      Date  
Executive Director  
Placer County Transportation Planning Agency

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Philip O. Carter                      Date  
Vice President  
Michael Baker International

Encl.  
CM/ss

c: Derek Wong, Michael Baker International  
David Melko, PCTPA

**MASTER AGREEMENT BETWEEN  
PLACER COUNTY TRANSPORTATION PLANNING AGENCY  
AND  
MICHAEL BAKER INTERNATIONAL, INC.**

THIS AGREEMENT ("Agreement" or "Contract"), is made and entered into as of this 28<sup>th</sup> day of October 2015, at Auburn, California, by and between the Placer County Transportation Planning Agency (hereinafter referred to as "PCTPA" or "Agency"), and Michael Baker International, Inc. (hereinafter referred to as "Contractor" or "Consultant").

**RECITALS:**

1. Contractor represents that it is specially trained and/or has the experience and expertise necessary to competently perform the services set forth in this Agreement; and
2. Contractor is willing to perform the services and work described in this Agreement under the terms and conditions set forth in this Agreement; and
3. PCTPA desires to contract with Contractor to perform the services and work described in this Agreement under the terms and conditions set forth in this Agreement.

NOW, THEREFORE, the parties mutually agree as follows:

1. Employment of Contractor.  
Contractor hereby agrees to perform services identified in letters of task agreement, submitted hereafter by PCTPA (hereinafter "Letters of Task Agreement"). Each Letter of Task Agreement shall specifically define and obligate the budget for services, the scope of services, and the expected term of the specified activity or project. All provisions of this Master Agreement shall be incorporated by reference into subsequent Letters of Task Agreement.
2. Scope of Services.  
Contractor agrees to fully perform the work described in, and to abide by any additional terms and conditions set forth in, each fully executed Letter of Task Agreement. PCTPA reserves the right to review and approve all work to be performed by Contractor in relation to this Master Agreement and Letter of Task Agreement. Any proposed amendment to the scope of services must be submitted by Contractor in writing for prior review and written approval by PCTPA's Executive Director. Approval shall not be presumed unless such approval is made by PCTPA in writing.
3. Compliance with Laws and Incorporation of Federal and State Guidelines.  
Contractor shall comply with all applicable federal, state, and local laws, codes, ordinances, regulations, orders and decrees. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775. Contractor warrants and represents to PCTPA that Contractor shall, at its own cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, insurance and approvals that are legally required for Contractor to practice its profession or are necessary and incident to the performance of the services and work Contractor performs under this Agreement. Contractor shall provide written proof of such licenses, permits, insurance and approvals upon request by PCTPA. PCTPA is not responsible or liable for Contractor's failure to comply with any or all of the requirements contained in this paragraph.

The terms of all relevant Federal and State grant provisions and guidelines, as presently written, bearing on this Agreement are hereby wholly incorporated by reference herein and made a part of this Agreement and take precedence over any inconsistent terms of this Agreement.

4. Term.

This Master Agreement will be for an initial period of approximately five (5) years commencing on October 28, 2015 through June 30, 2020.

- a. Time is of the essence of this contract, and production and delivery schedules set forth in each Letter of Task Agreement must be met. Failure by Contractor to complete work within the time specified will inhibit the ability of PCTPA to meet State and Federal requirements.
- b. In the event Contractor fails to satisfactorily perform and complete tasks specified in a Letter of Task Agreement in a timely manner, Contractor will be liable for damages as a result of Contractor's failure to fulfill its obligations under the Contract and Letter of Task Agreement.

5. Standard of Quality.

All work performed by Contractor under this Agreement shall be in accordance with all applicable legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals in Contractor's field of expertise.

6. Compensation.

Payment to the Contractor shall be made as set forth in each Letter of Task Agreement. The amount to be paid shall not exceed the amount specified in the applicable Letter of Task Agreement, which amount shall constitute full and complete compensation for the Contractor's services. In no instance shall PCTPA be liable for any payments or costs for work in excess of this amount, nor for any unauthorized or ineligible costs. Contractor shall be paid at the times and in the manner set forth in this Master Agreement and the applicable Letter of Task Agreement. The consideration to be paid Contractor, as provided in the applicable Letter of Task Agreement, shall be in compensation for all of Contractor's expenses incurred in the performance of work under the applicable Letter of Task Agreement, including travel and per diem, unless otherwise expressly so provided.

- a. The Contractor agrees that the Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq., (any subcontractors and subrecipients shall refer to the *Office of Management and Budget Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments*), or its successor, shall be used to determine the allowability of individual items of cost.
- b. The Contractor also agrees to comply with Federal procedures in accordance with 49 CFR, Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."
- c. Any costs for which payment has been made to the Contractor that are determined by subsequent audit to be unallowable under 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq.; *Office of Management and Budget Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments*; or 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, are subject to repayment by the Contractor to PCTPA. Disallowed costs must be reimbursed to PCTPA within sixty (60) days unless PCTPA approves in writing an alternative repayment plan.
- d. Any subcontract in excess of \$25,000 entered into as a result of this Agreement, shall contain all of the provisions of Sections 6 (a) through (c) above.
- e. The Contractor and subcontractors shall establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) which segregates and accumulates the costs of work elements by line item and produces quarterly reports which clearly identify reimbursable costs and other expenditures.
- f. Contractor is hereby expressly put on notice that no employee of PCTPA has authority to authorize in writing or otherwise any additional work which would increase the cost of a Letter of Task Agreement without approval by the Executive Director of PCTPA.

7. Reporting and Payment.

- a. During the term of an operative Letter of Task Agreement, the Contractor shall submit to

PCTPA, attention Executive Director, a requisition for payment and narrative progress report at least quarterly but not more frequently than once monthly. Each requisition for payment shall refer to the Work Element referenced in the Letter of Task Agreement.

- b. Contractor shall specify the time, date, personnel, and hours billed in each requisition for payment and shall indicate that it has satisfactorily performed the work and completed the percent of product for which payment is being requisitioned in conformance with the Letter of Task Agreement, and that it is therefore entitled to receive the amount so requisitioned under the terms of the agreement.
- c. PCTPA shall pay the Contractor 90 percent (90%) of the amount invoiced until the Contract is completed to PCTPA's satisfaction, as required by the terms of the Letter of Task Agreement. Following final product acceptance by PCTPA, the final 10 percent (10%) of the contract amount will be released upon Contractor requisition for final contract payment.
- d. Contractor shall establish and maintain separate account records for the fiscal activities of each Letter of Task Agreement. Contractor's accounting system shall conform to generally accepted accounting principles. All accounting records shall readily provide a breakdown of costs charged to a work element number indicated in the Letter of Task Agreement. Such records, together with supporting documents, shall be kept separate from other documents and records and shall be kept available for inspection by PCTPA and other authorized agencies during the period of performance of the contract, and for three (3) years after PCTPA makes final payments, and all other pending matters are closed.

In the event that any of the expenses for which PCTPA reimburses the Contractor are later disallowed pursuant to Section 28, Availability of Records, Contractor expressly agrees to reimburse PCTPA an amount equal to that disallowed. PCTPA agrees to assert any appeal for a disallowed expense on behalf of Contractor.

8. Rebudgeting of Funds.

Prompt notification and approval by PCTPA of all rebudgeting in excess of \$1,000 is required. Such notification may be accomplished by submission of a revised copy of the budget forms. Approval of minor adjustments to an approved budget is not required. A minor adjustment will constitute reallocation of the dollar sum of \$1,000 or less.

9. Data to be Furnished by Contractor.

Whenever information that Contractor previously provided to PCTPA in its response to the request for proposals (RFP) is no longer complete, accurate, or up-to-date, Contractor shall notify PCTPA, attention Executive Director, and amend its response so that PCTPA has the most current information regarding:

- a. The Contractor's name, local address, telephone number, and contact person.
- b. A general description of the Contractor's services.
- c. The names and titles of the individuals who can provide the planning and support services described in PCTPA's RFP.
- d. A description of the work performed and the skills and training of the individuals so named, including a current resume for each individual.
- e. The hourly billing rates and charges for the individuals named.
- f. Contractor's Affidavit of Disadvantaged Business Enterprise (if applicable).

10. Submission of Reports.

- a. All reports specified in a Letter of Task Agreement must be submitted to PCTPA for review, to the attention of the Executive Director. In the absence of an express, written statement of dissatisfaction within thirty (30) working days, any draft report submitted will be deemed satisfactory.

b. No final copy shall be prepared in form for publication prior to approval by PCTPA.

11. Personnel.

- a. The Contractor represents that it has, or shall secure at its own expense, all personnel required in performing the services under a Letter of Task Agreement.
- b. During periods in which Contractor's personnel may be physically housed at PCTPA while performing services under a Letter of Task Agreement, PCTPA may be responsible for administrative support and overhead expenses associated with such personnel, if agreed to in the applicable Letter of Task Agreement. During periods in which Contractor's personnel are not physically housed at PCTPA, Contractor shall be responsible for their administrative support and overhead expenses.
- c. All of the services required under a Letter of Task Agreement shall be performed by the Contractor or under its supervision, and all personnel engaged in the work shall be fully qualified and shall be authorized under State and local law to perform such services.

12. Independent Contractor.

The Contractor, and the agents and employees of the Contractor, in the performance of this Agreement, shall act as and be independent contractors and not officers or employees or agents of PCTPA. Contractor, its officers, employees, agents, and subcontractors, if any, shall have no power to bind or commit PCTPA to any decision or course of action, and shall not represent to any person or business that they have such power. Contractor has and shall retain the right to exercise full control of the supervision of the services and work and over the employment, direction, compensation and discharge of all persons assisting Contractor in the performance of services under this Agreement. Contractor shall be solely responsible for all matters relating to the payment of its employees, including but not limited to compliance with social security and income tax withholding, workers' compensation insurance and all regulations governing such matters.

13. Contractors and Subcontractors.

Contractor shall not subcontract any portion of the work without the prior express written authorization of PCTPA. If PCTPA consents to a subcontract, Contractor shall be fully responsible for all work performed by the subcontractor.

- a. PCTPA reserves the right to review and approve any contract or agreement to be funded in whole or in part using funds provided under this Agreement.
- b. Any contract or sub-contract shall contain the same applicable provisions of this Agreement, and shall require the contractor and its subcontractors, if any, to:
  - (1) Comply with applicable State and Federal requirements that pertain to, among other things, labor standards, non-discrimination, the Americans with Disabilities Act, Equal Employment Opportunity, and Drug-Free Workplace, and *Office of Management and Budget Circular A-87, Cost Principles for State, Local and Indian Tribal Governments*.
  - (2) Maintain at least the minimum State-required Workers' Compensation Insurance for those employees who will perform the work or any part of it.
  - (3) Maintain unemployment insurance and disability insurance as required by law, along with liability insurance in an amount that is reasonable to compensate any person, firm, or corporation who may be injured or damaged by the Contractor or any subcontractor in performing work associated with this Agreement or any part of it.
  - (4) Retain all books, records, computer records, accounts, documentation, and all other materials pertaining to the performance of this Agreement for a period of four (4) years from the date of termination of this Agreement, or four (4) years from the conclusion or resolution of any and all audits or litigation relevant to this Agreement and any amendments, whichever is later.

- (5) Permit PCTPA and/or its designees, upon reasonable notice, unrestricted access to any or all books, records, computer records, accounts, documentation, and all other materials pertaining to the performance of this Agreement for the purpose of monitoring, auditing, or otherwise examining said materials.
- (6) Comply with all applicable requirements of Title 49, Part 26 of the Code of Federal Regulations, as set forth in Section 42, Disadvantaged Business Enterprise Participation.

14. Prohibition Against Contingent Fees.

The Contractor warrants, by execution of this Contract, that no person or company has been employed or retained to solicit or secure this Contract or a Letter of Task Agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees; nor has the Contractor paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee, any fee, commission, contribution, donation, percentage, gift, or any other consideration, contingent upon or resulting from award of this Contract or a Letter of Task Agreement. For any breach or violation of this provision, PCTPA shall have the right to terminate this Contract or Letter of Task Agreement without liability and, at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration and any other damages, and shall be responsible for reporting the details of such breach or violation to the proper legal authorities, where and when appropriate.

15. Termination.

- a. PCTPA shall have the right to terminate this Master Agreement or any Letter of Task Agreement for any reason, with or without cause, at any time, by giving Contractor ten (10) days written notice. The notice shall be deemed served and effective for all purposes on the date it is deposited in the U.S. mail, certified, return receipt requested, addressed to Contractor at the address indicated in Section 36.
- b. If PCTPA issues a notice of termination:
  - (1) Contractor shall immediately cease rendering services pursuant to this Agreement.
  - (2) Contractor shall deliver to PCTPA copies of all Writings prepared by the Contractor under the Letter of Task Agreement, whether or not completed, which were prepared by Contractor, its employees or its subcontractors, if any, pursuant to this Agreement. The term "Writings" shall include, but not be limited to, handwriting, typesetting, computer files and records, drawings, blueprints, printing, photostating, photographs, and every other means of recording upon any tangible thing, any form of communication or representation, including, letters, works, pictures, sounds, symbols computer data, or combinations thereof.
  - (3) PCTPA shall pay Contractor for work actually performed up to the effective date of the notice of termination, subject to the limitations in Section 6 less any compensation to PCTPA for damages suffered as a result of Contractor's failure to comply with the terms of this Agreement. Such payment shall be in accordance with Section 7. However, if this Agreement is terminated because the work of Contractor does not meet the terms or standards specified in this Agreement, then PCTPA shall be obligated to compensate Contractor only for that portion of Contractor's services which is of benefit to PCTPA.

16. Contract Amendments.

PCTPA may, from time to time, require changes in the Agreement, including changes to the scope of the services of the Contractor to be performed pursuant to a Letter of Task Agreement. Such changes, including any increase or decrease in the amount of the Contractor's compensation, which are mutually agreed upon by and between PCTPA and the Contractor, shall be incorporated in written amendments to the Letter of Task Agreement. No oral understanding or agreement not placed in writing shall be binding on any of the parties hereto. Amendments inconsistent with the provisions and intent of this

Agreement are invalid.

17. Conflict of Interest.

Contractor hereby certifies that no employee of Contractor or any subcontractor, has any past, ongoing, or potential conflict with PCTPA's interest. Contractor and any subcontractors shall exercise reasonable care and diligence to prevent any actions or conditions that could be deemed a conflict of interest under the Fair Political Practices Act or other law. During the term of this Agreement, the Contractor shall not accept any employment or engage in any consulting work that would create a conflict of interest with PCTPA or in any way compromise the services to be performed under this Agreement. The Contractor shall immediately notify PCTPA of any and all potential violations of this paragraph upon becoming aware of the potential violation.

18. Political Reform Act Compliance.

The Contractor is aware and acknowledges that certain contractors that perform work for governmental agencies are "consultants" under the Political Reform Act (the "Act") (Government Code § 81000, et seq.) and its implementing regulations (2 California Code of Regulations § 18110, et seq.). The Contractor agrees that any of its officers or employees deemed to be "consultants" under the Act by PCTPA, as provided for in the Conflict of Interest Code for PCTPA, shall promptly file economic disclosure statements for the disclosure categories determined by PCTPA, to be relevant to the work to be performed under this Agreement and shall comply with the disclosure and disqualification requirements of the Act, as required by law.

19. National Labor Relations Board Certification.

Contractor, by signing this Agreement, does swear under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a federal court which orders Contractor to comply with an order of the National Labor Relations Board (Public Contract Code § 10296).

20. Americans with Disabilities Act (ADA) of 1990.

By signing this Agreement, Contractor assures PCTPA that it complies with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101, et seq.), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.

21. Drug-Free Certification.

By signing this Agreement, Contractor hereby certifies under penalty of perjury under the laws of the State of California that Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code § 8350, et seq.) and will provide a drug-free workplace by taking the following actions:

- a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited, and specifying actions to be taken against employees for violations.
- b. Establish a Drug-Free Awareness Program to inform employees about:
  - (1) The dangers of drug abuse in the workplace;
  - (2) The person's or the organization's policy of maintaining a drug-free workplace;
  - (3) Any available counseling, rehabilitation, and employee assistance programs; and
  - (4) Penalties that may be imposed upon employees for drug abuse violations.
- c. Every employee of Contractor who works under this Agreement shall:
  - (1) Receive a copy of Contractor's Drug-Free Workplace Policy Statement; and
  - (2) Agree to abide by the terms of Contractor's Statement as a condition of employment on this Agreement.

22. Union Organizing.  
By signing this Agreement, Contractor hereby acknowledges the applicability of Government Code § 16645 through § 16649 to this Agreement, excluding § 16645.2 and § 16645.7.
- a. Contractor will not assist, promote, or deter union organizing by employees performing work on this Agreement if such assistance, promotion, or deterrence contains a threat of reprisal or force, or a promise of benefit.
  - b. No funds received from PCTPA under this Agreement shall be used to assist, promote, or deter union organizing.
  - c. Contractor will not, for any business conducted under this Agreement, use any public property to hold meetings with employees or supervisors, if the purpose of such meetings is to assist, promote, or deter union organizing, unless the public property is equally available to the general public for holding meetings.
  - d. If Contractor incurs costs, or makes expenditures to assist, promote, or deter union organizing, Contractor will maintain records sufficient to show that no reimbursement from PCTPA funds has been sought for these costs, and Contractor shall provide those records to PCTPA upon request.
23. Campaign Contribution Disclosure.  
Contractor has complied with the campaign contribution disclosure provisions of the California Levine Act (Government Code § 84308) and has completed the Levine Act Disclosure Statement attached hereto as Exhibit A.
24. Successors and Assigns.  
This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their successors, assigns, or other representatives. The Contractor shall not assign or delegate any interest in this Agreement or a Letter of Task Agreement, and shall not transfer any interest in the same, without the prior written consent of PCTPA.
25. Disclosure of Information.  
PCTPA has the right to reveal information concerning the project described in a Letter of Task Agreement in compliance with the Freedom of Information Act, 5 USC 552 and the California Public Records Act. Contractor may request that certain information not be disclosed, as permitted by statute. To request such confidentiality, the Contractor must ensure that at the time the information is provided to PCTPA, it is accompanied by clear notice (on or attached to the document or other record), that the information is a "trade secret," "confidential," or "proprietary." Where only a portion(s) of a submission is entitled to protection from disclosure, each such portion shall be identified. Information received by PCTPA which is not accompanied such notice, may be made available to the public without prior notice to the Contractor.
26. Minimum Insurance Requirements.  
Contractor hereby warrants that it carries and shall maintain, at its sole cost and expense, in full force and effect during the full term of this Agreement and any extensions to this Agreement, the following described insurance coverage as outlined below:



| POLICY   | MINIMUM LIMITS OF LIABILITY   |
|--|---|
| (1) Workers' Compensation; Employer's Liability.   | Statutory requirements for Workers' Compensation; \$ 1,000,000 Employers' Liability.  |
| (2) Comprehensive Automobile: Insurance Services Office, form #CA 0001 covering Automobile Liability, code 1 (any auto). | Bodily Injury/Property Damage \$1,000,000 each accident.  |
| (3) General Liability: Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).        | \$1,000,000 per occurrence. If Commercial General Liability Insurance or other form with a general aggregate limit, such limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. |
| (4) Errors and Omissions/Professional Liability  | \$1,000,000 per claim and \$2,000,000 in aggregate  |

- a. Deductibles and Self-insured Retentions: Any deductibles or self-insured retentions over \$5,000 must be declared to and approved by PCTPA.
- b. Required Provisions: The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:
- (1) For any claims related to this Agreement, Consultant's insurance coverage shall be primary insurance as respects PCTPA, its directors, officers, employees and agents. Any insurance or self-insurance maintained by PCTPA, its directors, officers, employees or agents shall be in excess of Consultant's insurance and shall not contribute to it.
  - (2) Any failure by Consultant to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to PCTPA, its directors, officers, employees or agents.
  - (3) Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
  - (4) Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested has been given to PCTPA.
- c. Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise approved by PCTPA.
- d. Certificate of Insurance and Additional Insured Requirement: Consultant shall furnish to PCTPA an original Certificate of Insurance on a standard ACORD form, or other form acceptable to PCTPA, substantiating the required coverages and limits set forth above and also containing the following:
- (1) Thirty (30) days prior written notice to PCTPA of the cancellation, non-renewal or reduction in coverage of any policy listed on the Certificate; and
  - (2) The following statement with respect to the Commercial General Liability policy: "PCTPA and its directors, officers, agents, employees, and volunteers are made additional insureds, but only insofar as the operations under this Agreement are concerned."
- e. Certified Copies of Policies: Upon request by PCTPA, Consultant shall immediately furnish a complete copy of any policy required hereunder, including all endorsements, with said copy certified by the insurance company to be a true and correct copy of the original policy.

f. Consultant's Responsibility: Nothing herein shall be construed as limiting in any way the extent to which Consultant may be held responsible for damages resulting from Consultant's operations, acts, omissions, or negligence. Insurance coverage obtained in the minimum amounts specified above shall not relieve Consultant of liability in excess of such minimum coverage, nor shall it preclude PCTPA from taking other actions available to it under this Agreement or by law, including but not limited to, actions pursuant to Consultant's indemnity obligations.

27. Notice of Assistance Regarding Patent and Copyrights Infringement.

The Contractor agrees to report to PCTPA and other appropriate state and federal agencies promptly and in reasonable written detail, each notice or claim of patent or copyright infringement based on the performance of a Letter of Task Agreement of which the Contractor has knowledge. In the event of any claim or suit against PCTPA and other appropriate state and federal agencies on account of any alleged patent or copyright infringement arising out of the performance of a Letter of Task Agreement or out of the use of any supplies furnished or work or services performed thereunder, the Contractor agrees to furnish to PCTPA and other appropriate state and federal agencies, when requested by PCTPA and all evidence and information in possession of the Contractor pertaining to such suit or claim. Such evidence and information shall be furnished at the expense of PCTPA and other appropriate state and federal agencies except where the Contractor has agreed to indemnify PCTPA and other appropriate state and federal agencies.

28. Availability of Records.

The Contractor shall document the results of the work to the satisfaction of PCTPA, and if applicable, the State and U.S. DOT. Such documentation may include preparation of progress and final reports, plans, specifications and estimates, or similar evidence of attainment of contract objectives.

The Contractor and its subcontractors shall maintain all books, documents, papers, accounting records, and other evidence pertaining to costs incurred (collectively "Records"), and make such Records available at their respective offices at all reasonable times during the contract period and for four (4) years from the date of final payment to the Contractor. Such Records shall be available for inspection by authorized representatives of PCTPA, or copies thereof shall be furnished upon PCTPA's request. The U.S. DOT, Caltrans, the Comptroller General of the United States, or any authorized representatives of these agencies, shall have access to any Records of the Contractor related to the performance of this Agreement or the Applicable Letter of Task Agreement, for the purpose of making audit, examination, excerpts, and/or transcriptions.

If so directed by PCTPA upon the expiration of this Agreement or the applicable Letter of Task Agreement, the Contractor shall cause all Records to be delivered to PCTPA as depository.

29. Compliance with Non-Discrimination and Equal Employment Opportunity Laws

It is Agency's policy to comply with state and federal laws and regulations including Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990 (ADA) and other federal discrimination laws and regulations, as well as the Unruh Civil Rights Act of 1959, the California Fair Employment and Housing Act, and other California State discrimination laws and regulations. The Agency does not discriminate on the basis of race, color, sex, creed, religion, national origin, age, marital status, ancestry, medical condition, disability, sexual orientation or gender identity in conducting its business. The Agency prohibits discrimination by its employees, contractors and consultants.

Contractor assures Agency that it complies with, and that Contractor will require that its subcontractors comply with, the following non-discrimination and equal opportunity laws. Any failure by Contractor to comply with these provisions shall constitute a material breach of this Agreement, which may result

in the termination of this Agreement or such other remedy as Agency may deem appropriate.

a. Contractor and its subcontractors shall comply with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d et seq., with U.S. D.O.T. regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act", 49 C.F.R. Part 21, and with any applicable implementing federal directives that may be issued.

b. Contractor and its subcontractors shall comply with all applicable equal employment opportunity (EEO) provisions of 42 U.S.C. §§ 2000e, implementing federal regulations, and any applicable implementing federal directives that may be issued. Contractor and its subcontractors shall ensure that applicants and employees are treated fairly without regard to their race, color, creed, sex, disability, age, or national origin.

c. Contractor and its subcontractors will not unlawfully discriminate, harass, or allow harassment, against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religion, national origin, physical disability, mental disability, medical condition, age or marital status. Contractor and its subcontractors will insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and its subcontractors will comply with all applicable federal and state employment laws and regulations including, without limitation, the provisions of the California Fair Employment and Housing Act (Government Code § 12900, et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, § 7285.0, et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code §§ 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors will give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

d. Contractor will include the non-discrimination and equal employment opportunity provisions of this section (provisions a. through c. above) in all contracts to perform work funded under this Agreement.

30. Governing Law and Forum.

Any dispute not resolved by informal negotiation between the parties to this contract shall be adjudicated in the Superior Court of Placer County. This Agreement shall be administered and interpreted under the laws of the State of California.

31. Costs and Attorneys' Fees: If either party commences any legal action against the other party arising out of this Agreement or the performance thereof, the prevailing party in such action may recover its reasonable litigation expenses, including court costs, expert witness fees, discovery expenses, and reasonable attorneys' fees.

32. Indemnification.

Contractor specifically agrees to indemnify, defend, and hold harmless Agency, its directors, officers, members, agents, and employees (collectively the "Indemnitees") from and against any and all actions, claims, demands, losses, costs, expenses, including reasonable attorneys' fees and costs, damages, and liabilities (collectively "Losses") arising out of or in any way connected with the performance of this Agreement, excepting only Losses caused by the sole, active negligence or willful misconduct of an Indemnitee. Contractor shall pay all costs and expenses that may be incurred by Agency in enforcing this indemnity, including reasonable attorneys' fees. The

provisions of this Section shall survive the expiration, termination, or assignment of this Agreement.

33. Ownership of Documents; Permission.

- a. Contractor agrees that all work products, including, but not limited to, original documents, methodological explanations, computer programs, drawings, designs, reports and other written materials generated in the performance of this Agreement shall belong to and become the sole property of PCTPA; provided that Contractor may retain file copies of said work products. Contractor shall provide said work products to PCTPA upon request.
- b. Contractor represents and warrants that: (i) all materials used or work products produced in the performance of this Agreement, including, without limitation, all computer software materials and all written materials, are either owned by or produced by Contractor or that all required permissions and license agreements have been obtained and paid for by Contractor; and (ii) PCTPA is free to use, reuse, publish or otherwise deal with all such materials or work products. Consultant shall defend, indemnify and hold harmless PCTPA and its directors, officers, employees, and agents from any claim, loss, damage, cost, liability, or expense to the extent of any violation or falsity of the foregoing representation and warranty.

34. Severability.

If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law, unless the exclusion of such term or provision, or the application of such term or provision, would result in such a material change so as to cause completion of the obligations contemplated herein to be unreasonable.

35. Integration.

This Agreement represents the entire understanding of PCTPA and Contractor as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in accordance with Section 16.

36. Notices.

Any notice or notices required or permitted to be given pursuant to this Contract or a Letter of Task Agreement may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following addresses:

Celia McAdam, Executive Director  
Placer County Transportation Planning Agency  
299 Nevada Street  
Auburn, California 95603

Philip O. Carter, Vice President  
Michael Baker International, Inc.  
2729 Prospect Park Drive, Suite 220  
Rancho Cordova, CA 95670

37. Authority.

Each person signing this Agreement on behalf of a party hereby certifies, represents, and warrants that he or she has the authority to bind that party to the terms and conditions of this Agreement.

38. Force Majeure.

Neither PCTPA nor Contractor shall be liable or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God or of the public enemy, acts of government, in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, and unusually severe weather, or

any similar cause beyond the reasonable control of PCTPA or Contractor.

- 39. Counterparts: This Agreement may be executed in multiple counterparts, each of which shall constitute an original, and all of which taken together shall constitute one and the same instrument.
- 40. Waivers: No waiver of any breach of this Agreement shall be held to be a waiver of any prior or subsequent breach. The failure of PCTPA to enforce at any time the provisions of this Agreement or to require at any time performance by the Contractor of these provisions, shall in no way be construed to be a waiver of such provisions nor to affect the validity of this Agreement or the right of PCTPA to enforce these provisions.
- 41. Litigation: Contractor shall notify PCTPA immediately of any claim or action undertaken by it or against it that affects or may affect this Agreement or PCTPA, and shall take such action with respect to the claim or action as is consistent with the terms of this Agreement and the interests of PCTPA.

IN WITNESS WHEREOF the Placer County Transportation Planning Agency and the Contractor have executed this agreement as of the date first above written.

Placer County Transportation Planning Agency

Michael Baker International, Inc.

\_\_\_\_\_  
Celia McAdam,  
Executive Director

\_\_\_\_\_  
Philip O. Carter,  
Vice President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Enclosures

- 1) Exhibit A: Levine Act Disclosure Statement

**EXHIBIT A  
LEVINE ACT DISCLOSURE STATEMENT**

California Government Code § 84308, commonly referred to as the "Levine Act," precludes an Officer of a local government agency from participating in the award of a contract if he or she receives any political contributions totaling more than \$250 in the 12 months preceding the pendency of the contract award, and for three months following the final decision, from the person or company awarded the contract. This prohibition applies to contributions to the Officer, or received by the Officer on behalf of any other Officer, or on behalf of any candidate for office or on behalf of any committee. The Levine Act also requires disclosure of such contributions by a party to be awarded a specified contract.

Current members of the Placer County Transportation Planning Agency (PCTPA) Board are:

- |                        |                                       |
|------------------------|---------------------------------------|
| Brian Baker            | Susan Rohan                           |
| Tony Hesch             | Diana Ruslin                          |
| Jim Holmes             | Ron Treabess (citizen representative) |
| Stan Nader/Paul Joiner | Kirk Uhler                            |
| Keith Nesbitt          |                                       |

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any PCTPA Boardmember(s) in the 12 months preceding the date of the issuance of this request for proposal or request for qualifications?

     YES      NO  
If yes, please identify the Boardmember(s) \_\_\_\_\_

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contributions of more than \$250 to any PCTPA Boardmember(s) in the three months following the award of the contract?

     YES      NO  
If yes, please identify the Boardmember(s) \_\_\_\_\_

Answering yes to either of the two questions above does not preclude PCTPA from awarding a contract to your firm. It does, however, preclude the identified Boardmember(s) from participating in the contract award process for this contract.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
(SIGNATURE OF AUTHORIZED OFFICIAL)

\_\_\_\_\_  
(TYPE OR WRITE APPROPRIATE NAME, TITLE)

\_\_\_\_\_  
(TYPE OR WRITE NAME OF COMPANY)

**CLAIM FOR LOCAL TRANSPORTATION FUNDS**  
**STREETS & ROADS PURPOSES**

TO: PLACER COUNTY TRANSPORTATION PLANNING AGENCY  
299 NEVADA STREET, AUBURN, CA 95603

FROM: CLAIMANT: Placer County Department of Public Works  
ADDRESS: 3091 County Center Drive, Suite 220  
Auburn, CA 95603  
CONTACT PERSON: Cynthia Taylor  
Phone: 530-745-3599 Email: ctaylor@placer.ca.gov

The County of Placer hereby requests, in accordance with the State of California Public Utilities Code commencing with Section 99200 and the California Code of Regulations commencing with Section 6600, that this claim for Local Transportation Funds be approved for Fiscal Year 2015/2016, for street and road purposes (P.U.C. 99400a) in the amount of \$ 2,000,000 to be drawn from the Local Transportation Fund deposited with the Placer County Treasurer:

When approved, this claim will be transmitted to the Placer County Auditor for payment. Approval of the claim and payment by the County Auditor to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the terms of the approved annual financial plan and budget. Claimant must submit a complete Fiscal and Compliance Audit for the prior fiscal year prior to issuance of instructions to the County Auditor to pay the claimant.

**APPROVED:**

PLACER COUNTY  
TRANSPORTATION PLANNING AGENCY  
BOARD OF DIRECTORS

APPLICANT

BY: Diana Ruslin (signature)

BY: [Signature] (signature)

TITLE: Chair

TITLE: Chair, Board of Supervisors

DATE: October 28, 2015

DATE: \_\_\_\_\_

**CLAIM FOR LOCAL TRANSPORTATION FUNDS**  
**TRANSIT PURPOSES**

TO: PLACER COUNTY TRANSPORTATION PLANNING AGENCY  
299 NEVADA STREET, AUBURN, CA 95603

FROM: CLAIMANT: Placer County Public Works and Facilities  
ADDRESS: 3091 County Center Dr., Ste. 220  
Auburn, CA 95603

CONTACT PERSON: Cynthia Taylor  
Phone: 530-745-7599 Email: ctaylor@placer.ca.gov

The County of Placer hereby requests, in accordance with the State of California Public Utilities Code, commencing with Section 99200 and the California Code of Regulations commencing with Section 6600, that this claim for Local Transportation Funds be approved for Fiscal Year 2015/2016, in the following amounts for the following purposes to be drawn from the Local Transportation Fund deposited with the Placer County Treasurer:

|   |                     |
|---|---------------------|
| P.U.C. 99260a, Article 4, Transit Operations/Capital:       | \$ <u>3,405,273</u> |
| P.U.C. 99275, Article 4.5, Community Transit Services:      | \$ _____            |
| P.U.C. 99400c, Article 8c, Contracted Transit Services:     | \$ _____            |
| C.C.R. 6648, Capital Reserve:                               | \$ _____            |
| P.U.C. 99400e, Article 8e, Capital for Contracted Services: | \$ _____            |

When approved, this claim will be transmitted to the Placer County Auditor for payment. Approval of the claim and payment by the County Auditor to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the terms of the approved annual financial plan and budget. Claimant must submit a complete Fiscal and Compliance Audit for the prior fiscal year prior to issuance of instructions to the County Auditor to pay the claimant.

**APPROVED:**

PLACER COUNTY  
TRANSPORTATION PLANNING AGENCY  
BOARD OF DIRECTORS

APPLICANT

BY: Diana Ruslin (signature)

BY: \_\_\_\_\_ (signature)

TITLE: Chair

TITLE: Chair, Board of Supervisors

DATE: October 28, 2015

DATE: \_\_\_\_\_



**PCTPA LTF ANNUAL CLAIM FORM**  
**PROJECT AND FINANCIAL PLAN**

Briefly describe all proposed projects and indicate proposed expenditures by your agency for the ensuring fiscal year for purposes related to public transportation, pedestrian and bicycle facilities, and streets and roads. Provide each project a title and number. (Use additional forms as necessary)

Claimant PLACER COUNTY

Fiscal Year 2015/16

| Brief Project Description                           | Project Cost        | Source of Funding       |                     |                     |
|---|---------------------|-------------------------|---------------------|---------------------|
| Placer County Transit<br>Operations 2015/2016       | Salaries & Benefits | \$2,672,700             | <b>LTF - PCTPA</b>  | <b>\$2,401,673</b>  |
|   | Services & Supplies | \$3,681,700             | STA - PCTPA         | \$500,000           |
|   | Other               | \$100,000               | FTA 5311            | \$793,000           |
|   | Contingency         | \$115,000               | Fares               | \$783,700           |
|   |                     |                         | Other Agency        | \$1,579,100         |
|   |                     | Other Funds             | \$140,000           |                     |
|   |                     | Interest                | \$23,000            |                     |
|   |                     | Reserves                | \$348,927           |                     |
|   | <b>TOTAL</b>        | <b>\$6,569,400</b>      | <b>Total:</b>       | <b>\$6,569,400</b>  |
| Placer County Transit<br>Capital 2015/2016          | 15 Buses            | \$6,223,300             | FTA                 | \$4,266,000         |
|   | On-Board CCTV       | \$58,000                | PROP 1B             | \$2,694,700         |
|   | CNG Phase 3         | \$576,900               | Capital Reserve     | \$62,500            |
|   | Passenger Info AVL  | \$168,700               |                     |                     |
|   | <b>TOTAL</b>        | <b>\$7,026,900</b>      | <b>TOTAL</b>        | <b>\$7,026,900</b>  |
| Tahoe Area Regional Transit<br>Operations 2015/2016 | Salaries & Benefits | \$1,764,000             | LTF - TRPA          | \$677,727           |
|   | Services & Supplies | \$1,896,600             | <b>LTF - PCTPA</b>  | <b>\$1,003,600</b>  |
|   | Other               | \$112,400               | STA - TRPA          | \$164,878           |
|   | Contingency         | \$25,000                | STA - PCTPA         | TBD                 |
|   |                     |                         | FTA 5311            | \$654,700           |
|   |                     | Fares                   | \$403,000           |                     |
|   |                     | Other                   | \$894,095           |                     |
|   | <b>TOTAL</b>        | <b>\$3,798,000</b>      | <b>TOTAL</b>        | <b>\$3,798,000</b>  |
| Tahoe Area Regional Transit<br>Capital 2015/2016    | 6 Buses             | \$3,209,300             | FTA                 | \$870,500           |
|   | 2 Way Radio         | \$76,300                | Tahoe Trans. Dist.  | \$125,000           |
|   | Facility CCTV       | \$40,000                | Traffic Mit Fee     | \$174,000           |
|   |                     |                         | Prop 1b             | \$2,061,600         |
|   |                     |                         | Reserves            | \$94,500            |
|   | <b>TOTAL</b>        | <b>\$3,325,600</b>      | <b>TOTAL</b>        | <b>\$3,325,600</b>  |
| <b>TOTAL TRANSIT</b>                                | <b>\$2,719,900</b>  |                         |                     | <b>\$20,719,900</b> |
| Miscellaneous roadway maintenance activities        | \$2,000,000         | <b>LTF - Article 8a</b> | <b>\$ 2,000,000</b> |                     |
|   |                     | Other Revenue           | \$20,719,900        |                     |
|   |                     | <b>TOTAL</b>            | <b>\$22,719,900</b> |                     |
| <b>TOTAL STREETS AND ROADS</b>                      | <b>\$22,719,900</b> |                         |                     | <b>\$22,719,900</b> |
| <b>TOTAL LTF - PCTPA</b>                            |                     |                         |                     | <b>\$5,405,273</b>  |

# Before the Board of Supervisors County of Placer, State of California

In the matter of: A Resolution authorizing the Chair of the Board of Supervisors to approve a claim in the amount of \$5,405,273 for 2015/2016 Local Transportation Funds (LTF) and submit to the Placer County Transportation Agency.

Resol. No: 2015-209

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on October 6, 2015 by the following vote on roll call:

**Ayes:** DURAN, WEYGANDT, MONTGOMERY, UHLER

**Noes:** NONE

**Absent:** HOLMES

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE  
ATTEST

ANN HOLMAN  
Clerk of the Board of Supervisors, County of Placer, State of California  
*Ann Holman*  
Deputy Clerk

Signed and approved by me after its passage.

  
\_\_\_\_\_  
Chair, Board of Supervisors

Attest:

  
\_\_\_\_\_  
Clerk of said Board

**WHEREAS**, the County of Placer is eligible to apply for and receive funds from the Local Transportation Fund (LTF) for transit capital, transit operating, and road/maintenance assistance; and

**WHEREAS**, the Placer County Transportation Planning Agency (PCTPA) includes an allocation in the amount of \$2,401,673 for operating and capital assistance for Placer County Transit for Fiscal Year 2015-16; and

**WHEREAS**, the Placer County Transportation Planning Agency (PCTPA) includes an allocation in the amount of \$1,003,600 for operating and capital assistance for Tahoe Area Regional Transit for Fiscal Year 2015-16; and

Resolution # 2015-209

Page 2

**WHEREAS**, the PCTPA includes an allocation in the amount of \$2,000,000 for annual street/road maintenance for Placer County for Fiscal Year 2015-16.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Placer, State of California, that the Chair of the Board of Supervisors is authorized and directed to execute the attached 2015-16 Local Transportation Fund Claim to the Placer County Transportation Planning Agency in the amount of \$5,405,273 TDA Article 4: Transit Operations and Capital in the amount of \$3,405,273 and TDA Article 8(a): Streets and Roads Maintenance in the amount of \$2,000,000.

**PLACER COUNTY TRANSPORTATION PLANNING AGENCY**

**IN THE MATTER OF: ALLOCATION OF  
LOCAL TRANSPORTATION FUNDS TO THE  
COUNTY OF PLACER**

**RESOLUTION NO. 15-24**

The following resolution was duly passed by the Placer County Transportation Planning Agency at a regular meeting held October 28, 2015 by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

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Placer County Transportation Planning Agency  
Chair

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Executive Director

WHEREAS, the Placer County Transportation Planning Agency has been designated by the Secretary as the transportation planning agency for Placer County, excluding the Lake Tahoe Basin, in accordance with the Transportation Development Act, as amended; and

WHEREAS, it is the responsibility of the Agency to review the annual transportation claims and to make allocations from the Local Transportation Fund.

NOW, THEREFORE, BE IT RESOLVED that the Agency has reviewed the claims and has made the following allocations from the 2015/16 fiscal year funds.

- |    |   |             |
|----|---|-------------|
| 1. | To the County of Placer for projects conforming to Article 8(a) of the Act: | \$2,000,000 |
| 2. | To the County of Placer for projects conforming to Article 4 of the Act     | \$3,405,273 |

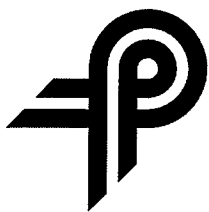
BE IT FURTHER RESOLVED that allocation instructions are hereby approved for the County Auditor to pay the claimants. Claimant must submit a complete Fiscal and Compliance Audit for the fiscal year ending June 30, 2015, prior to issuance of said instructions to the County Auditor to pay the claimant.

# PLACER COUNTY TRANSPORTATION PLANNING AGENCY

## Social Services Transportation Advisory Council October 2015

| <b>Required Members (Public Utilities Code 99238(a))</b>            |   |
|---|---|
| Potential transit user – age 60 and older                           | <i>Diana C. Madoshi, Rocklin resident</i>                         |
| Potential transit user – handicapped                                | <i>Jan Browne, Lincoln resident</i>                               |
| Local social service provider – persons with limited means          | <i>Alison Schwedner, Community Collaborative of Tahoe Truckee</i> |
| Local social service provider – seniors                             | <i>David Soto, Area 4 Agency on Aging</i>                         |
| Local social service provider – seniors transportation provider     | <i>Jamee Horning, Seniors First</i>                               |
| Local social service provider – handicapped                         | <i>Tink Miller, Placer Independent Resource Services</i>          |
| Local social service provider – handicapped transportation provider | <i>Tim Swank, Alta California Regional Center</i>                 |
| Local consolidated transportation service agency (CTSA)             | <i>David Melko, Western Placer CTSA</i>                           |
| Local consolidated transportation service agency – operator         | <i>Jamee Horning, Health Express</i>                              |
| <b>Additional Members</b>   |   |
| Local Resident  | <i>June Meredith</i>  |
| Local Resident  | <i>Judy Guirard</i>   |
| Local Resident  | <i>Paul R. Krueger</i>  |
| Caltrans  | <i>Kevin Yount</i>  |
| City of Auburn  | <i>Mengil Deane</i>   |
| City of Colfax  | <i>Wes Heathcock</i>  |
| City of Lincoln   | <i>Angela Frost</i>   |
| Town of Loomis  | <i>Brit Snipes</i>  |
| City of Rocklin   | <i>Laura Webster</i>  |
| City of Roseville   | <i>Mike Wixon</i>   |
| Placer County   | <i>Will Garner</i>  |
| Nevada County Transportation Commission                             | <i>Mike Woodman</i>   |
| Specialized Services Operator                                       | <i>Joan Pederson (Pride Industries)</i>                           |





## ***MEMORANDUM***

**TO:** PCTPA Board of Directors **DATE:** October 14, 2015

**FROM:** Aaron Hoyt, Associate Planner *AH*

**SUBJECT:** 9:15 AM TIMED ITEM – ANNUAL UNMET TRANSIT NEEDS PUBLIC HEARING

### **ACTION REQUESTED**

Conduct a public hearing to obtain public testimony on unmet transit needs that may exist in Placer County.

### **BACKGROUND**

The Unmet Transit Needs process is one of PCTPA's key responsibilities as a Regional Transportation Planning Agency (RTPA). PCTPA must annually hold at least one public hearing to obtain comments on unmet transit needs that exist within Placer jurisdictions (excluding that portion that is within the Tahoe Regional Planning Agency (TRPA) area) and that might be reasonable to meet.

PCTPA focuses on those services that meet the adopted definition of an "unmet transit need" and are consistent with the criteria for being considered "reasonable to meet." Services may include establishing, contracting for, or expanding transportation services. The definition was amended by the Board of Directors on May 14, 2014, and is shown in Attachment 1.

### **DISCUSSION**

In addition to the public hearing to be held at the PCTPA Board meeting, public workshops were hosted in Auburn, Lincoln, and Tahoe City. PCTPA also met with the Placer Collaborative Network and is scheduled to meet with the Auburn Neuropathy Group to discuss the process and receive comments.

Each of the public workshops and the public hearing were advertised in local newspapers, through social media, and the distribution of flyers in English and Spanish by local jurisdictions. Public comments can be submitted at the October 28 public hearing, or via phone, fax, mail, e-mail, and through PCTPA's web site. The public comment period for this year's unmet transit needs process will conclude on November 29, 2015.

Following the close of the public comment period, PCTPA will summarize and analyze the testimony and prepare a report. The draft report will be reviewed by the Social Services Transportation Advisory Committee (SSTAC) in January. The final report will be presented to the TAC and Board in February 2016. Any comments determined to meet the adopted definition of an "unmet transit need" and "reasonable to meet" criteria must be funded in the next fiscal year prior to TDA funds being allocated for streets and roads purposes.

AH/CM:ss

**PLACER COUNTY TRANSPORTATION PLANNING AGENCY**

**TDA DEFINITIONS**

**Pursuant to PUC Section 99401.5(c)**

**Adopted 11/8/92**

**Amended 3/23/94**

**Amended 9/22/99**

**Amended 9/27/06**

**Amended 5/14/14**

**Unmet Transit Need**

An unmet transit need is an expressed or identified need, which is not currently being met through the existing system of public transportation services. Unmet transit needs are also those needs required to comply with the requirements of the Americans with Disabilities Act.

**Reasonable To Meet**

Unmet transit needs may be found to be "reasonable to meet" if all of the following criteria prevail:

- 1) Service, which if implemented or funded, would result in the responsible service meeting the farebox recovery requirement specified in California Code of Regulations Sections 6633.2 and 6633.5, and Public Utilities Code 99268.2, 99268.3, 99268.4, and 99268.5.
- 2) Notwithstanding Criterion 1) above, an exemption to the required farebox recovery requirement is available to the claimant for extension of public transportation services, as defined by California Code of Regulations Section 6633.8, and Public Utilities Code 99268.8.
- 3) Service, which if implemented or funded, would not cause the responsible operator to incur expenditures in excess of the maximum amount of Local Transportation Funds, State Transit Assistance Funds, Federal Transit Administration Funds, and fare revenues and local support, as defined by Sections 6611.2 and 6611.3 of the California Administrative Code, which may be available to the claimant.
- 4) Community support exists for the public subsidy of transit services designed to address the unmet transit need, including but not limited to, support from community groups, community leaders, and community meetings reflecting a commitment to public transit.
- 5) The need should be in conformance with the goals included in the Regional Transportation Plan.
- 6) The need is consistent with the intent of the goals of the adopted Short Range Transit Plan, as amended, for the applicable jurisdiction.





Western Placer  
Consolidated  
Transportation  
Services Agency

## MEMORANDUM

**TO:** WPCTSA Board of Directors

**DATE:** October 13, 2015

**FROM:** Celia McAdam, Executive Director *CM*  
David Melko, Senior Transportation Planner *DM*

**SUBJECT:** FY 2015/16 BUDGET AMENDMENT #1

### ACTION REQUESTED

Adopt FY 2015/16 Budget Amendment #1.

### BACKGROUND

WPCTSA must adopt an annual budget and amendments thereto for income and expenditures, based on projections for the coming year, consistent with the adopted Short Range Transit Plan.

### DISCUSSION

Attachment 1 provides the Amendment #1 operating budget for FY 2015/16. Amendment #1 decreases operating revenues by 3.5%, or just over \$58,000, primarily as a result of a decrease in FY 2014/15 carryover, offset by an increase to the Local Transportation Fund (LTF) final apportionment.

Operating expenditures total \$1,593,554, an increase of less than 2% compared to the adopted June budget, with a projected end of the year surplus of \$4,255 to be carried over into FY 2016/17. The increase in operating expenditures is due to a proposed increase to the Bus Pass Subsidy Program, offset by minor reductions in staff administration and short range transit planning costs. Initial outreach efforts for the Bus Pass Subsidy Program resulted in only two organizations applying for subsidies for a total of \$15,000 (as shown in the adopted June budget). The Placer Collaborative Network (PCN) has requested that we reopen the application period. According to PCN several organizations were not aware of the Program. These organizations have since requested the opportunity to apply. The proposed \$50,000 budget would accommodate these additional application requests.

There are no changes proposed to the capital expenditures budget. This budget is funded entirely with State Proposition 1B funds. All grant funds have been allocated to projects by prior Board action.

The TAC concurs with the staff budget recommendations. Staff recommends approval of the FY 2015/16 Budget Amendment #1.

CM:DM:ss

**Attachment 1: Western Placer CTSA Proposed Operating Budget Summary Amendment #1**

**Attachment 1**

**FY 2015/16**

October 2015

|  | FY 2015/16<br>Amendment #1 | FY 2015/16<br>Adopted | Difference<br>Amendment #1<br>vs. Adopted |
|--|----------------------------|-----------------------|---|
| <b>Operating Expenditures</b>                              |                            |                       |   |
| PCTPA Staff Administration MOU - Per PCTPA OWP WE #23 (1)  | \$ 131,259                 | \$ 133,075            | \$ (1,816)                                |
| Legal Services   | \$ 7,500                   | \$ 7,500              | \$ -                                      |
| Placer Collaborative Network (PCN) Membership              | \$ 250                     | \$ 250                | \$ -                                      |
| WPCTSA Seniors First Board Member Annual Contribution      | \$ 300                     | \$ 300                | \$ -                                      |
| Accounting Services  | \$ 500                     | \$ 500                | \$ -                                      |
| Fiscal Auditors (TDA)                                      | \$ 5,500                   | \$ 5,500              | \$ -                                      |
| Outreach (2)   | \$ 7,500                   | \$ 7,500              | \$ -                                      |
| Direct Expenses (3)  | \$ 7,500                   | \$ 7,500              | \$ -                                      |
| Subtotal PCTPA Administration                              | \$ 160,309                 | \$ 162,125            | \$ (1,816)                                |
| <b>Programs</b>  |                            |                       |   |
| MV Transit - Health Express (4)                            | \$ 372,000                 | \$ 372,000            | \$ -                                      |
| Seniors First - Health Express Program Management (5)      | \$ 99,530                  | \$ 99,530             | \$ -                                      |
| Seniors First - My Rides (6)                               | \$ 216,860                 | \$ 216,860            | \$ -                                      |
| Transit Ambassador Program (7)                             | \$ 37,000                  | \$ 37,000             | \$ -                                      |
| Transit Planning (8)                                       | \$ 50,000                  | \$ 50,000             | \$ -                                      |
| Short Range Transit Plans (8)                              | \$ 90,000                  | \$ 100,000            | \$ (10,000)                               |
| Retired Vehicle Program (9)                                | \$ 10,000                  | \$ 10,000             | \$ -                                      |
| Dial-a-Ride CTSA Trips Reimbursement (10)                  | \$ -                       | \$ -                  | \$ -                                      |
| Bus Pass Subsidy Program (11)                              | \$ 50,000                  | \$ 15,000             | \$ 35,000                                 |
| South Placer Transit Information Center (Call Center) (12) | \$ 300,000                 | \$ 300,000            | \$ -                                      |
| Subtotal Existing & New Programs                           | \$ 1,225,390               | \$ 1,200,390          | \$ 25,000                                 |
| Subtotal Operating Expenditures                            | \$ 1,385,699               | \$ 1,362,515          | \$ 23,184                                 |
| Operating Reserve (13)                                     | \$ 207,855                 | \$ 204,377            | \$ 3,478                                  |
| <b>Total Operating Expenditures</b>                        | <b>\$ 1,593,554</b>        | <b>\$ 1,566,892</b>   | <b>\$ 26,662</b>                          |

|   | FY 2015/16<br>Amendment #1 | FY 2015/16<br>Adopted | Difference<br>Amendment #1<br>vs. Adopted |
|---|----------------------------|-----------------------|---|
| <b>Operating Revenue</b>  |                            |                       |   |
| FY 2015/16 LTF Article 4.5 (14)                                 | \$ 887,626                 | \$ 886,419            | \$ 1,207                                  |
| FY 2015/16 State Transit Assistance (14)                        | \$ 58,810                  | \$ 58,810             | \$ -                                      |
| FY 2014/15 Carryover (15)                                       | \$ 465,483                 | \$ 525,342            | \$ (59,859)                               |
| Interest Income (15)  | \$ 4,500                   | \$ 4,500              | \$ -                                      |
| Seniors First match toward Health Express - Hospital Funds (16) | \$ 74,530                  | \$ 74,530             | \$ -                                      |
| Seniors First match toward My Rides - A4AA Funds (16)           | \$ 38,860                  | \$ 38,860             | \$ -                                      |
| Seniors First match toward My Rides - Other Sources (16)        | \$ 53,000                  | \$ 53,000             | \$ -                                      |
| First 5 Placer Commission match toward My Rides (16)            | \$ 15,000                  | \$ 15,000             | \$ -                                      |
| <b>Total Operating Revenue</b>                                  | <b>\$ 1,597,809</b>        | <b>\$ 1,656,461</b>   | <b>\$ (58,652)</b>                        |

|  | FY 2015/16<br>Amendment #1 | FY 2015/16<br>Adopted | Difference<br>Amendment #1<br>vs. Adopted |
|--|----------------------------|-----------------------|---|
| <b>Operating Revenue to Expenditure Comparison</b> |                            |                       |   |
| Carryover  | \$4,255                    | \$ 89,569             | \$ (85,314)                               |

**Notes**

1. Per PCTPA Final OWP and Budget FY 2015/16, Amendment #1, October 2015.
2. Preparation of outreach materials for WPCTSA programs.
3. Direct expenses include auto, advertising, meeting, conference & training, postage, printing, and travel.
4. Reflects rate increase per Contractor Services Agreement. Also, includes cost to lease larger bus for subscription trips and Sacramento medical service.
5. Includes Health Express eligibility determination, passenger registrations, coordination and scheduling of trips, printing of new brochure, and pilot fare subsidy.
6. Supports rides for medical and essential needs.
7. Program Agreement with Roseville Transit.
8. Reflects planning consultant services for Unified Eligibility project and development of future Short Range Transit Plans.
9. Funds to purchase retired/surplus local dial-a-ride vehicles for non-profits transportation needs as determined through unmet transit needs process.
10. CTSA trip reimbursement of DAR determined to be unnecessary with Board adopted service policy changes effective July 1, 2015.
11. Reimbursement for participating social service organizations.
12. Call Center funding previously included on LTF apportionment.
13. Government Finance Officers Association recommends an operating reserve or contingency of up to 15%.
14. WPCTSA final LTF apportionment approved at 4.0 percent in August 2015. STA allocation for FY 2015/16 approved at 4.0 percent by PCTPA in February 2015.
15. Estimate as of June 30, 2015.
16. Revenue attributable to non-profit match for programs.



## ***MEMORANDUM***

**TO:** Board of Directors **DATE:** October 13, 2015

**FROM:** Celia McAdam, Executive Director *CW*

**SUBJECT:** FY 2015/16 OVERALL WORK PROGRAM (OWP) AND BUDGET – AMENDMENT #1

### **ACTION REQUESTED**

Adopt the attached FY 2015/16 Overall Work Program (OWP) and Budget – Amendment #1 and authorize the Executive Director to submit it to Caltrans.

### **BACKGROUND**

The OWP should provide a description of the activities to be undertaken by the agency in the coming year, along with detailed budget information. Aside from being prudent administrative practice, the adoption of an OWP and Budget each year is also a state requirement for all Regional Transportation Planning Agencies (RTPAs).

It is expected that, as each fiscal year progresses, situations and priorities will change, and work activities and budgets must be updated correspondingly. For that reason, amendments to the OWP and Budget are normally expected during the fiscal year. The Board approved the Final FY 2015/16 OWP and Budget at your May 2015 meeting.

### **DISCUSSION**

The Overall Work Program delineates the latest information on the efforts the Board has directed staff to undertake in the current fiscal year. The accompanying budget covers those activities as specified, and reflects the Agency's current financial status.

Since the adoption of the FY 2015/16 OWP and Budget earlier this year, there have been updates that affect both the work program and budget. A summary of the significant changes are noted below:

#### ***Work Elements***

The work program for the Transportation Funding Strategy (WE 60) includes a more concentrated outreach effort, adding informational mailers, town hall meetings, website enhancements, and focus groups.

#### ***Budget***

Our conservative budgeting and spending approaches have resulted in a more positive budgetary outlook for FY 2015/16 than outlined in the currently adopted budget. While our overall revenues are down slightly, this tracks with a decrease in reimbursed direct expenses. Discretionary revenues, including the Local Transportation Fund (LTF), are up slightly, we are now being reimbursed for cash flow advances for the Nevada Station office building, and we

**PCTPA Board of Directors****FY 2015/16 OVERALL WORK PROGRAM AND BUDGET – AMENDMENT #1****October 2015****Page 2**

have a modest carryover of more than \$43,000. These added revenues have allowed us to enhance our efforts as noted above.

Budgetary adjustments are summarized as follows:

- While actual Caltrans funding for the Freeway Service Patrol (FSP) (WE 80) is down slightly, we are still able to cover our current contracted service level using other funding sources.
- Funding is added to the Transportation Funding Strategy (WE 60) to augment direct costs for added outreach.
- Under the terms of our Memorandum of Understanding, we pay SACOG for meeting specific state and federal program requirements based on a percentage of LTF revenues. This obligation is now consolidated under Regional Transportation Plan (WE 20) and is now eligible for reimbursement using Regional Planning Assistance (RPA) funds.
- Funding was adjusted for various work elements, including the Congestion Management Program (WE 30), I-80/SR 65 Interchange Improvements (WE 41), SR 65 Widening (WE 42), I-80 and SR 65 Sequencing (WE 43), and I-80 Auxiliary Lanes (WE 44) to reflect the balance of actual activities and expenditures between the two fiscal years of 2014/15 and 2015/16.

***Staffing***

The overall staffing plan remains stable at 6.95 full time equivalent employees.

CM:ss:

Attachment (Under Separate Cover)



PLACER COUNTY  
TRANSPORTATION  
PLANNING AGENCY

***MEMORANDUM***

**TO:** PCTPA Board of Directors **DATE:** October 14, 2015

**FROM:** Celia McAdam, Executive Director *Celia McAdam*  
Shirley LeBlanc, Fiscal/Administrative Officer

**SUBJECT:** NEVADA STATION OPERATING BUDGET

**ACTION REQUESTED**

Approve Nevada Station Building budget for 2016 and 2017 as shown in Attachment 1 and certify that this budget includes required bond payments.

**BACKGROUND**

In December 2003, PCTPA completed the purchase of the Nevada Station office building at 299 Nevada Street in Auburn to house the Agency's operations. In doing so, the Agency has also become a landlord, charged with the responsibility of operating and maintaining the building, negotiating commercial leases and resolving property and tenant issues.

Because of certain powers needed to obtain bond financing that are not specifically held by PCTPA, the South Placer Regional Transportation Authority (SPRTA) agreed to be the conduit for the financing of the purchase of the Nevada Station. Under this arrangement, SPRTA is listed as the official owner of the building and fully leases it to PCTPA. PCTPA, in turn, handles all management, operations, maintenance, rental collection, and bond payments. Once the bonds have been fully repaid, SPRTA will sell the building to PCTPA for \$10.

Under the terms of the ownership arrangement, the budget is approved by both SPRTA and PCTPA.

**DISCUSSION**

The budget to actual figures for 2014 and 2015 (as estimated through 12/31/2015), as well as the proposed annual budgets for January-June 2016 and Fiscal Year 2016/17, are shown in Attachment 1.

In the past, the budget for the operations of the Nevada Station property has been on a calendar year basis, adopted biannually, but staff is recommending the budget be aligned with the PCTPA and SPRTA accounting calendar with the fiscal ending date of June 30<sup>th</sup>. The prior approved budget covered January 1, 2014 through December 31, 2015. The current proposed budget covers the period of January 1, 2016 through June 30, 2017.

***Budget History***

***2014 and 2015 Budget Recap***

Although slowly improving, the overall economy has continued to affect the Nevada Station. While nine of the ten office suites are currently leased, the lease rates have remained at or

**PCTPA Board of Directors**  
**NEVADA STATION OPERATING BUDGET**  
**October 2015**  
**Page 2**

slightly below market rate to attract and retain building tenants. Calendar 2014 and 2015 revenues were slightly less than budgeted.

In July 2014, the PCTPA and SPRTA Boards approved the refinancing of the original 2003 property lease revenue bonds. These 2014 lease revenue bonds assume the final amortization dates of the original loan and interest payment on the remaining term of the debt has been reduced by nearly 50%.

While cash transfers to improvements were suspended in 2014 and 2015, operating expenses were higher due to unforeseen elevator and plumbing repairs, new security camera system, and attorney fees related to the refinancing of the lease revenue bonds.

***2016 and 2017 Budget Outlook***

The financial outlook for Nevada Station has improved significantly with operating surpluses being projected for both years of the proposed budget, including the reestablishment of maintenance reserves and repayment of obligations.

As the Board is aware, the economic downturn affected the Nevada Station budget. A number of vacancies, particularly in 2009-2011, depleted the building's cash reserves for required debt service payments. We now have long term tenant leases on nine of the ten office suites. Moreover, the 2014 bond financing has resulted in a net decrease in debt service payments of about \$35,000 per year.

The budget conservatively projects FY 2016 and 2017 rental revenue remaining flat, with minor increases, and with the one unoccupied office vacancy, assuming a 2016 occupancy, at reduced market rates.

Over the years, PCTPA had transferred a total of \$165,000 from agency reserves and has uncollected property management expenses of \$64,000. Cash reserves for major maintenance, including exterior painting and parking lot paving, were put on hold for the past six years.

With reduced debt service payments and a stable occupancy level, we are now in the position to re-establish cash transfers to major maintenance reserves and staff recommends the repayment to PCTPA by \$30,000 per year and maintenance reserves by \$12,500 per year.

Union Bank, which services the bonds, requires that the Agency certify that bond payments are included in the building's operating budget. These are included accordingly, and staff recommends the Board's certification and approval of the Nevada Station Operating Budget.

CM:sl:ss

NEVADA STATION - OPERATING BUDGET  
2014 & 2015 - BUDGET TO ACTUAL  
JANUARY 1, 2016 - JUNE 30, 2017 - PROPOSED BUDGET

**Attachment 1**

|                                       | Calendar 2014  |                | Calendar 2015  |                | PROPOSED BUDGET |                |
|---------------------------------------|----------------|----------------|----------------|----------------|-----------------|----------------|
|                                       | BUDGET         | ACTUAL         | BUDGET         | Projected      | 1/16-6/16       | 7/16-6/17      |
| <b>GROSS INCOME - PROJECTED</b>       |                |                |                |                |                 |                |
| TENANT RENTAL INCOME                  | 278,396        | 263,071        | 285,256        | 258,577        | 140,893         | 287,290        |
| INTEREST INCOME                       | -              | 957            | -              | 1,513          | 500             | 1,000          |
| LESS: 5% VACANCY & CREDIT LOSS        | (6,910)        | -              | (7,066)        | -              | (3,399)         | (6,887)        |
| <b>TOTAL EFFECTIVE INCOME</b>         | <b>271,486</b> | <b>264,028</b> | <b>278,190</b> | <b>260,090</b> | <b>137,993</b>  | <b>281,403</b> |
| <b>OPERATING EXPENSES - PROJECTED</b> |                |                |                |                |                 |                |
| ACCOUNTANT/ATTORNEY                   | 500            | 15,324         | 500            | -              | 250             | 500            |
| CARPET CLEANING                       | 200            | -              | 200            | -              | 100             | 200            |
| ELEVATOR MAINT/LICENSE                | 3,500          | 3,297          | 3,500          | 3,297          | 1,000           | 4,500          |
| FIRE EXTINGUISHERS                    | 100            | -              | 100            | -              | 50              | 100            |
| GARBAGE DISPOSAL                      | 3,600          | 3,630          | 3,700          | 3,651          | 1,900           | 3,800          |
| GUTTER CLEANING                       | 250            | -              | 250            | -              | -               | -              |
| HVAC MAINTENANCE                      | 1,000          | 600            | 1,000          | 618            | 500             | 1,000          |
| INSURANCE                             | 3,500          | 3,792          | 3,750          | 3,792          | -               | 3,800          |
| JANITORIAL SERVICE                    | 3,000          | 2,600          | 3,500          | 2,640          | 1,750           | 3,500          |
| LANDSCAPING SERVICE                   | 5,100          | 5,125          | 5,500          | 5,125          | 2,750           | 5,500          |
| LIGHTING                              | 100            | 72             | 100            | 72             | 500             | 500            |
| LOCKSMITH                             | 150            | 589            | 150            | -              | 75              | 150            |
| MANAGEMENT FEE (PCTPA ADMIN)          | 6,500          | -              | 7,000          | -              | 8,500           | 17,000         |
| MISC REPAIRS & EXPENSES               | 4,000          | 13,854         | 3,000          | 7,547          | 1,500           | 3,000          |
| PAINTING - EXTERIOR                   | -              | -              | -              | -              | 7,500           | 7,500          |
| PARKING LOT PAVING                    | -              | -              | -              | -              | 5,000           | 5,000          |
| PCWA                                  | 2,000          | 2,075          | 2,250          | 2,367          | 1,250           | 2,500          |
| PG&E                                  | 2,250          | 1,793          | 2,500          | 1,794          | 1,250           | 2,500          |
| PHONE (ELEVATOR)                      | 400            | 378            | 450            | 412            | 250             | 500            |
| PLUMBING / ELECTRICAL                 | 1,000          | 266            | 1,000          | 759            | 2,000           | 2,000          |
| REAL ESTATE TAXES                     | 2,500          | 2,340          | 2,500          | 2,367          | -               | 2,500          |
| RESTROOM SUPPLIES                     | 1,800          | 1,154          | 2,000          | 900            | 1,000           | 2,000          |
| ROOFING                               | 150            | -              | 150            | -              | 250             | 250            |
| SECURITY                              | 600            | 504            | 650            | 1,565          | 675             | 1,000          |
| SEWER FEES                            | 3,100          | 3,974          | 3,250          | 3,102          | -               | 3,500          |
| WINDOW WASHING                        | 650            | -              | 650            | -              | 325             | 650            |
| <b>TOTAL OPERATING EXPENSES</b>       | <b>45,950</b>  | <b>61,367</b>  | <b>47,650</b>  | <b>40,008</b>  | <b>38,375</b>   | <b>73,450</b>  |
| <b>NET INCOME</b>                     | <b>225,536</b> | <b>202,661</b> | <b>230,540</b> | <b>220,082</b> | <b>99,618</b>   | <b>207,953</b> |
| <b>NON-OPERATING EXPENSES</b>         |                |                |                |                |                 |                |
| DEBT SERVICE (Principal + Interest)   | 226,238        | 189,438        | 230,038        | 191,677        | 32,619          | 189,724        |
| BOND TRUSTEE ADMIN FEE                | 2,200          | -              | 2,200          | 2,815          | 2,900           | 2,900          |
| MISC. NON-OPERATING                   | 750            | 728            | 750            | -              | 375             | 750            |
| LEASE COMMISSIONS                     | 1,250          | -              | 1,250          | -              | 625             | 1,250          |
| TENANT IMPROVEMENTS                   | 1,500          | 1,500          | 1,500          | -              | 750             | 1,500          |
| BOND COUNSEL                          | 500            | -              | 500            | -              | 250             | 500            |
| <b>TOTAL NON-OPERATING EXPENSES</b>   | <b>232,438</b> | <b>191,666</b> | <b>236,238</b> | <b>194,492</b> | <b>37,519</b>   | <b>196,624</b> |
| TRANSFER FROM PCTPA RESERVES          | -              | -              | -              | -              | -               | -              |
| DUE TO PCTPA - PROPERTY MGMT.         | -              | -              | -              | -              | 10,000          | 10,000         |
| DUE TO PCTPA - NOTE PAYABLE           | -              | -              | -              | -              | 20,000          | 20,000         |
| <b>NET OPERATING CASH FLOW</b>        | <b>(6,901)</b> | <b>10,995</b>  | <b>(5,698)</b> | <b>25,590</b>  | <b>42,099</b>   | <b>(8,671)</b> |
| <b>CUMULATIVE CASH FLOW RESERVE</b>   |                |                | <b>25,590</b>  |                | <b>67,688</b>   | <b>59,017</b>  |







PLACER COUNTY  
TRANSPORTATION  
PLANNING AGENCY

**MEMORANDUM**

**TO:** PCTPA Board of Directors **DATE:** October 13, 2015

**FROM:** Luke McNeel-Caird, Senior Planner/Engineer *LM*

**SUBJECT:** 2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) ADOPTION

**ACTION REQUESTED**

Adopt Resolution 15-23, adopting the 2016 Regional Transportation Improvement Program (RTIP) for Placer County.

**BACKGROUND**

The State Transportation Improvement Program (STIP) is made up of two components: 75% comes from the Regional Transportation Improvement Programs (RTIPs) provided by each of the 58 counties, and 25% comes from Caltrans' Interregional Transportation Improvement Program (ITIP). Each STIP cycle, the California Transportation Commission (CTC) adopts a Fund Estimate of transportation money available over the following five years. This is then broken down by formula to specify a target "county share" amount for each Regional Transportation Planning Agency, such as Placer, to program their RTIP.

The current STIP covers FY 2014/15 through 2018/19. The 2016 STIP adds two years, FY 2019/20 and FY 2020/21, to the current program. In previous RTIP cycles, PCTPA has provided funding for the SR 49 operational improvements in Auburn, the I-80/Sierra College Boulevard Interchange, and the I-80/Douglas Boulevard Interchange. All of these projects have received their programmed allocations and have completed construction.

In 2002, the Board took a bold move to request a \$78 million advance of Placer's county shares to match a large commitment of Caltrans discretionary ITIP dollars to fully fund Phase 1 of the Lincoln Bypass. Had the Board not taken this daring approach, the Lincoln Bypass would likely be a dead project. Now, along with subsequent commitments of Corridor Mobility Improvement Account (CMIA) funding from the Proposition 1B infrastructure bonds, local development impact fees, and federal earmarks, the \$291 million Phase 1 of Lincoln Bypass opened to traffic in October 2012.

**DISCUSSION**

Every two years, the CTC adopts a Fund Estimate projecting five-years of gas taxes to determine capacity in the STIP and State Highway Operations and Protection Program (SHOPP). Based on the latest Fund Estimate through FY 2020/21, there is not sufficient funding in the SHOPP to even fund the maintenance needs on the state highway system. As a result, there is no new capacity for regions to program any new projects in the 2016 STIP and projects will need to be pushed out to later years.

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**2016 RTIP ADOPTION**  
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***Highway Program***

The STIP situation does not affect our overall approach, as we have long recognized our advance would take a long time to repay. The CTC currently estimates this interest-free advance balance to be down to approximately \$33.4M by FY 2019/20. Meanwhile, the residents, visitors, and businesses of Placer County are already enjoying the use of the Lincoln Bypass.

***Rail/Transit Program***

PCTPA has one rail/transit capital project funded in the current STIP, the Track Capacity Improvements between Sacramento and Roseville or "Third Track", designed to support our long-standing efforts to bring additional passenger rail capacity to Placer County. The specific goal is to provide the enhancements, particularly to the Roseville station, that are needed to allow the Capitol Corridor to bring 10 round trips daily to Roseville and 2 round trips to Auburn, while still supporting Union Pacific (UP)'s freight operations. The STIP funding not only provides some of those improvements, but would also be counted as leverage for funding opportunities in Federal rail grant programs, as well as Proposition 1A (High Speed Rail) bond funding.

The environmental and preliminary design phase of this project is currently underway, funded by an allocation of statewide discretionary ITIP funds. Unlike road projects, rail projects within the UP right of way are automatically considered "design-build", which means the final design and construction are done by the same firm. PCTPA's \$3 million in RTIP funding is programmed for the "design-build" phase, which is currently programmed for construction in FY 2017/18.

While PCTPA has an advance of funds, the CTC still allows us to program funds to support the Agency's requirements to plan, program, and monitor regional transportation projects. Staff therefore recommends the following as our 2016 RTIP submittal:

- ***Track Capacity Improvements between Sacramento and Roseville - \$3 million RTIP***  
No changes to current programming.
- ***Planning, Programming, and Monitoring (PPM) - \$0.661 million RTIP***  
These funds cover the Agency's costs to plan, program, and monitor the projects contained in the RTIP and ITIP, to ensure that projects are within the scope and costs programmed, assuring that projects move as quickly as possible to construction, and that the timely use of funds requirements are met. While the Agency has \$661,000 programmed in the current RTIP, the CTC has determined there is no new capacity for the 2016 STIP. As a result, existing programming will need to be spread over the four-year period ending FY 2019/20 and funding in FY 2020/21 will need to be identified as part of the next STIP update.

Staff is recommending that the maximum amount of funds allowable be programmed in PPM as an offset of administrative funding from the Transportation Development Act (TDA)'s Local Transportation Fund (LTF). Staff is recommending the existing \$661,000 be spread over the new RTIP period, with \$166,000 in FY 2016/17, then programming \$165,000 in FY 2017/18 through FY 2019/20.

**PLACER COUNTY TRANSPORTATION PLANNING AGENCY**

**IN THE MATTER OF: THE 2016 REGIONAL  
TRANSPORTATION IMPROVEMENT  
PROGRAM (RTIP)**

**RESOLUTION NO. 15-23**

The following resolution was duly passed by the Placer County Transportation Planning Agency at a regular meeting held October 28, 2015 by the following vote on roll call:

AYES:

NOES:

ABSENT:

Signed and approved by me after its passage

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Chair  
Placer County Transportation Planning Agency

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Executive Director

**WHEREAS**, pursuant to California Government Code, Title 7.91, Section 67910, the Placer County Transportation Planning Agency (PCTPA) was created as a local area planning agency to provide regional transportation planning for the area of Placer County, exclusive of the Lake Tahoe Basin; and

**WHEREAS**, California Government Code Section 29532.1c identifies PCTPA as the designated regional transportation planning agency for Placer County, exclusive of the Lake Tahoe Basin; and

**WHEREAS**, it is the intent and policy of PCTPA to improve and maximize the efficiency of transportation services in Placer County; and

**WHEREAS**, the PCTPA has reviewed funding policies and considered comment received from its member jurisdictions on their transportation needs and priority projects; and

**WHEREAS**, PCTPA places the highest emphasis on delivering needed projects as quickly and cost effectively as possible; and

**WHEREAS**, State law requires the adoption of a Regional Transportation Improvement Program (RTIP) by each regional transportation planning agency every two years, to be adopted by the California Transportation Commission (CTC) into the State Transportation Improvement Program (STIP);

**NOW, THEREFORE, BE IT RESOLVED THAT** the Placer County Transportation Planning Agency hereby submits the following projects and recommendations for the Placer County 2016 Regional Transportation Improvement Program to the California Transportation Commission.

**Regional Transportation Improvement Program**

Rail Corridor Track Capacity Improvements – Sacramento to Roseville (PPNO #9879)  
No change to current programming of \$3,000,000 for Construction in FY 2017/18.

Planning, Programming, and Monitoring

The PCTPA requests the CTC program Regional Choice funds to PCTPA for planning, programming, and monitoring of the county's RTIP program as follows:

FY 2016/17 - \$166,000

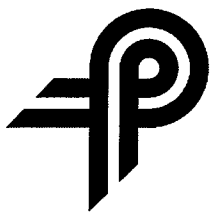
FY 2017/18 - \$165,000

FY 2018/19 - \$165,000

FY 2019/20 - \$165,000

**Interregional Transportation Improvement Program**

With no new programming capacity, no ITIP funding requests are proposed.



## MEMORANDUM

**TO:** PCTPA Board of Directors **DATE:** October 14, 2015

**FROM:** Aaron Hoyt, Associate Planner AH

**SUBJECT:** DRAFT PLACER COUNTY 2036 REGIONAL TRANSPORTATION PLAN AND ENVIRONMENTAL IMPACT REPORT

### ACTION REQUESTED

Authorize PCTPA staff to release the draft Placer County 2036 Regional Transportation Plan and accompanying draft 2036 Environmental Impact Report.

### BACKGROUND

The Regional Transportation Plan (RTP) is a long-range transportation funding plan that identifies future transportation improvements, associated costs, projected revenues, and the timing for implementation of projects through 2036. PCTPA updates the RTP every five years to comply with state statutes and federal planning requirements and ensure continuing, cooperative, and comprehensive regional transportation planning. The draft Placer County 2036 RTP also serves as the mechanism by which local transportation projects demonstrate eligibility to receive funding from various state (e.g., State Transportation Improvement Program) and federal (e.g., Congestion Mitigation Air Quality) funding programs.

The Placer County RTP is integrated into the broader regional planning context of the Sacramento Area Council of Governments' (SACOG) Metropolitan Transportation Plan (MTP), per our Memorandum of Understanding (MOU). SACOG is the state designated RTPA for Sacramento, Sutter, Yolo, and Yuba counties and is also the federally designated Metropolitan Planning Organization (MPO) for the six county region including Placer and El Dorado. As an RTPA and MPO, SACOG updates the MTP every four years to satisfy their federal planning responsibilities for the six-county region and state requirement to develop a Sustainable Communities Strategy (SCS) pursuant to Senate Bill 375.

California Environmental Quality Act (CEQA) requires the preparation of an environmental impact report (EIR) prior to approving any project, which may have a significant impact on the environment. Accordingly, PCTPA contracted with the De Novo Planning Group to prepare an Environmental Impact Report (EIR) on the Placer County 2036 RTP.

### DISCUSSION

The development of the draft Placer County 2036 RTP was initiated in parallel with the SACOG MTP/SCS update in 2013. Close coordination during the development of each plan was critical to ensure consistency in the identification of transportation projects, forecasted population growth and revenue projections, and public outreach given the similar and overlapping nature of the plans. The close coordination offered efficiencies in local jurisdiction staff meetings, early consultation with the United Auburn Indian Community of the Auburn Rancheria, and a joint

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**DRAFT PLACER COUNTY 2036 REGIONAL TRANSPORTATION PLAN**  
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public outreach meeting at the Rocklin Johnson-Springview Park during a Rocklin Food Truck event in October 2014.

A key component of the RTP is identifying the reasonably available funding over the life of the plan. The ongoing local Transportation Funding Strategy provided an opportunity for joint outreach with the RTP since the two issues overlap. Information and feedback gleaned through three public polls, focus group meetings, and more than 30 presentations to community groups including Municipal Advisory Committees, Rotary Clubs, Chambers of Commerce, neighborhood groups, and other civic organizations has been incorporated into the draft Placer County 2036 RTP.

PCTPA staff will present an expanded overview of the following five primary components of the draft Placer County 2036 RTP at the October Board meeting:

- A *Policy Element* that contains the mobility goals, objectives, and policies of the county. The policy element is reflective of the diverse composition and transportation needs of the populated western border of the county through the rural communities of the foothills, and the tourist destinations in the high country. The PCTPA Board approved the draft Policy Element at the February 26, 2014 meeting.
- An *Action Element* identifies the multimodal projects that implement the RTP in accordance with the goals, objectives, and policies set forth in the policy element. The proposed projects were identified to address existing transportation issues such as the reoccurring congestion on State Route (SR) 65, safety issues at the I-80/SR 65 interchange, maintenance of roadways and bridges, extending local and regional bikeways, as well as addressing future needs such as a western connection to SR 70/99 via the Placer Parkway, increased transit options such as more frequent Capital Corridor trains and specialized transit services for seniors and the disabled. The PCTPA Board approved the draft project lists at the September 24, 2014 meeting.
- A *Financial Element* that summarizes the anticipated cost of implementing projects in the RTP within a financially constrained environment. The PCTPA Board approved the draft revenue estimate at the September 24, 2014 meeting that identified approximately \$5.9 billion in reasonably anticipated revenue over the 20-year life of the plan. A significant assumption contained in the revenue estimate is a voter approved local transportation sales tax measure in November 2016.
- An *Air Quality Conformity Element* that describes the federal and state air quality regulations. SACOG, as the designated MPO for the Sacramento Metropolitan Area, is responsible for ensuring that regional transportation plans and programs conform to the State Implementation Plan and has responsibility for making findings of conformity required under section 176(c) of the federal Clean Air Act.
- An *Environmental Document* that evaluates the environmental impact of implementing the proposed projects listed in the plan and, if so, what impacts will occur and the mitigation measures necessary to address impacts.

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**DRAFT PLACER COUNTY 2036 REGIONAL TRANSPORTATION PLAN**  
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Next Steps

With the Board's authorization to release the draft Placer County 2036 RTP and EIR, a 45-day public review period of the draft documents will begin. The public review period is anticipated to begin on November 2, 2015 and run through December 17, 2015. PCTPA staff will conduct a public hearing on the draft 2036 Placer County RTP at the December Board meeting. All written and oral comments received from the public and partner agencies during the comment period will be address in the final 2036 Placer County RTP and 2036 RTP EIR. Staff anticipates returning to the Board no later than February 2016 to certify the 2036 RTP EIR and adopt the 2036 Placer County RTP.

CM:AH:ss





**PLACER COUNTY TRANSPORTATION PLANNING AGENCY**  
**Technical Advisory Committee Meeting Minutes**  
**October 13, 2015**

**ATTENDANCE:** Mengil Deane, City of Auburn  
 Wes Heathcock, City of Colfax  
 Rhon Herndon, City of Roseville  
 Mark Johnson, City of Roseville  
 Ray Leftwich, City of Lincoln  
 Dave Palmer, City of Rocklin  
 Britton Snipes, Town of Loomis  
 Kevin Yount, Caltrans

Celia McAdam, PCTPA  
 Aaron Hoyt, PCTPA  
 Luke McNeel-Caird, PCTPA  
 David Melko, PCTPA  
 Solvi Sabol, PCTPA

**FY 2015/16 Overall Work Program & Budget – Amendment #1**

Celia McAdam explained that Amendment #1 of the FY 2015/16 Overall Work Program (OWP) and Budget reflects some changes in actual funding based on the fiscal year closeout, with some accompanying changes to the work programs themselves. There is a balanced budget. McAdam noted that one accounting difference includes the way in which we pay SACOG – Amendment #1 proposes to show this under the Regional Transportation Plan making it eligible for Regional Planning Assistance (RPA) reimbursement. Additionally, McAdam noted, PCTPA is now being reimbursed for reserve funds that were needed for the bond payment for the Nevada Station, when occupancy was low. With a modest carryover, McAdam explained, we are able to add some funds for the focused transportation funding effort.

**Transportation Funding Strategy**

Celia McAdam explained that the transportation funding strategy outreach has ramped up and we are going to the public with two separate mailers. One of the mailers will be an invitation to Town Hall meetings that will be happening at various locations throughout Placer County. McAdam said that mailers will be provided to the TAC and that we will be providing the Board with an update on the current outreach efforts at the October Board meeting.

**2036 Regional Transportation Plan (RTP)**

Aaron Hoyt explained that we are in the final stages of the 2036 Regional Transportation Plan (RTP) process. Hoyt said that the TAC and Board approved draft project list was included into the RTP. With the exception of the last phase of SR 65 widening, all projects on the list were incorporated into SACOG's Metropolitan Transportation Plan (MTP). The difference in the project lists was due to air quality conformity issues, and will be addressed in their SACOG's next MTP update in five years. The total project list adds up to \$6.2 billion dollars over the next 20 years with \$1.25 billion identified through sales tax measure funding. The RTP update and Environmental Impact Report will be presented to the Board this month with recommendation they go out to the public for a 45 day review. Adoption of the RTP is expected to go to the Board in January.

### **2016 Regional Transportation Improvement Program (RTIP)**

Luke McNeel-Caird explained that every two years we adopt a Regional Transportation Improvement Program (RTIP) which gets incorporated in the State Transportation Improvement Program (STIP), The California Transportation Commission (CTC) adopts a fund estimate based on formula that Regional Transportation Planning Agencies (RTPAs) use to develop their RTIPs. In 2002, PCTPA programmed an advancement of our shares to fund the Lincoln Bypass which is fortunate, McNeel-Caird explained, as there is currently no new capacity for regions to program any new projects in the 2016 STIP cycle. McNeel-Caird said that despite the advancement, we still plan on submitting the RTIP as it supports the Agency's requirements to plan, program, and monitor regional transportation projects.

### **WPCTSA FY 2015/16 Budget – Amendment #1**

David Melko provided Amendment #1 to the Western Placer Consolidated Transportation Services Agency (WPCTSA) for FY 2015/16. Melko explained that the operating expenditures are increasing by \$26,000 as a result of an increase to the Buss Pass Subsidy program. The budget had previously been reduced because participation in the first round was much less than expected. Melko noted that we subsequently got many requests for added slots, and the budget was increased to accommodate these requests.

### **Other Issues/Upcoming Deadlines**

**TDA Triennial Performance Audits:** David Melko said that we are starting the Triennial Performance Audit process which applies to those jurisdictions who operate transit. The contract goes to the Board this month.

**Unmet Transit Needs:** Aaron Hoyt explained that we have had three Unmet Transit Needs (UTN) meetings to date and display ads have gone in all the newspapers. Hoyt added that there will be a public hearing this month, with comments taken through November. The draft UTN report will be reviewed by the Social Service Technical Advisory Committee (SSTAC) and brought back to the Board in February 2016. Hoyt noted that there were a number of projects implemented as a result of last year's UTN process.

**Local Transportation Fund (LTF) and State Transit Assistance (STA) Fund Allocation:** Aaron Hoyt explained that typically at this time of the year, we have a revised STA apportionment, however the state has not released the STA revised apportionment to date. The issue for the jurisdictions is how you go about submitting your claims – typically both LTF and STA is done simultaneously. Additionally, Aaron explained there are issues in how the Bicycle and Pedestrian funds are being accounted for and we are working this out with the county.

**State Legislative Update:** Celia McAdam explained the extraordinary sessions with the legislature to come up with a plan for funding road maintenance has essentially gone nowhere. While the legislature is holding listening sessions later this month on transportation funding, McAdam felt the outlook for action does not look promising. She emphasized the need for a local funding source.

**I-80 Canyon Way Interchange STAA Route Improvements:** Celia McAdam explained that PCTPA was key to pulling together the money for interchange improvements for I-80 at Canyon Way to facilitate heavy trucks used by Crispin Cider. The improvements are scheduled to be complete by October 23, and we will be pulling together a ribbon cutting event with the City of Colfax and Caltrans.

**November/December TAC Meeting:** Celia McAdam reminded the TAC that we typically combined our November/December Board meeting. This year it is proposed to be December 9, and will be having our next TAC meeting on November 17.

### **Adjourn**

Meeting adjourned at 3:35 p.m.



PLACER COUNTY  
TRANSPORTATION  
PLANNING AGENCY

**MEMORANDUM**

**TO:** PCTPA Board of Directors

**DATE:** September 9, 2015

**FROM:** Aaron Hoyt, Associate Planner *AH*  
David Melko, Senior Planner *DM*  
Luke McNeel-Caird, Senior Planner/Engineer *LM*  
Scott Aaron, Associate Planner *SA*

**SUBJECT:** STATUS REPORT

**1. Freeway Service Patrol (FSP)**

FY 2014/15 3<sup>rd</sup> and 4<sup>th</sup> Quarter statistical summary for Placer FSP service is attached. For the 3<sup>rd</sup> Quarter, there were 921 total assists and for the 4<sup>th</sup> Quarter, there were 802 total assists. All of the motorists rated the service as "excellent."

**2. TDM Report**

PCTPA's annual Spare the Air for Bucks campaign wrapped up at the end of August with participants helping to improve traffic congestion and air quality in Placer County by contributing 81,466 clean air commute miles, or miles that were commuted by way of carpooling, biking, walking, taking transit, or telecommuting in July and August. Spare the Air for Bucks participants utilized the Sacramento Region Commuter Club website to track their commutes, and were eligible to win gift cards and cash prizes based on the number of days they used an alternative mode of transportation to get to and from work.

Placer County Walk to School week was celebrated October 5-9, 2015 with four walk to school events at various local schools. Participating schools included Rock Creek Elementary (Auburn), H. Clarke Powers Elementary (Loomis), Skyridge Elementary (Auburn) and Newcastle Elementary (Newcastle). As part of PCTPA's Way to Go program, these walk to school events were coordinated by PCTPA in partnership with the City of Auburn and Safe Kids Placer County with participation and support from the Auburn Police Department, Placer County Sheriff, California Highway Patrol, FedEx, Auburn Fire cadets, CalFire, principals, teachers and volunteer parents. Participating students were given reflective keychains and zipper pulls along with pedestrian safety activity books, and were taught the importance about being seen and how to walk safely to school. While walking to school was the primary focus of these events, the Way to Go program encourages all alternative ways to travel to school to help relieve traffic congestion and improve air quality in and around schools.



*H. Clarke Powers Walk to School Day*

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A new alternative transportation campaign called “October is Smart Commute Month” is currently underway region-wide. The campaign has been promoted by Transportation Demand Management (TDM) outreach partners throughout the six-county SACOG region, and is designed to highlight the benefits of driving alone less frequently. Participants are encouraged to pledge a number of trips for which they will use an alternative mode of transportation for their commute in October. For every alternative mode trip logged during the month, participants will earn an entry into a special prize raffle. Competition for the most “smart commutes” is also encouraged, as current rankings for individuals and employers are available and participants can challenge a friend, as well. More information is available at [sacregioncommuterclub.org](http://sacregioncommuterclub.org).

- 3. Stanford Ranch Road/Galleria Boulevard Northbound Ramps – PA&ED Phase**  
The project development team (PDT) met on October 8, 2015 to discuss the status of the engineering and environmental technical studies. Local agency and Caltrans staff are currently reviewing the technical studies; once approved, the project team will begin preparing the draft environmental document and draft project report.
- 4. I-80/SR 65 Interchange Improvements Project – PA&ED Phase**  
The draft Environmental Impact Report (CEQA)/ Environmental Assessment (NEPA) document was released for public review for a 45-day period from August 3 to September 16, 2015. A public hearing was held at the regularly scheduled PCTPA Board meeting on August 26, 2015. At the end of the comment period, ten commenters submitted letters, emails, and comment cards on the draft environmental document, which the project team is currently developing response to the comments to be included in the final environmental document. The project has received concurrence from the National Marine Fisheries Service (NMFS). The project team is currently working on coordination with several other regulatory agencies.
- 5. Transit Operations Quarterly Ridership Report**  
The table on the following page summarizes the total ridership counts for each of the transit services provided by Placer County transit operators over the last two years. The FY 14/15 fourth quarter ridership totaled 291,300, which is down 20% over the third quarter primarily due to the seasonality of TART services, but down only 5.3% in comparison to the fourth quarter of FY 13/14. Transit ridership in FY 2014/15 totaled 1,293,637 which was a 3.0% decline from FY 2013/14’s ridership of 1,333,084. In an effort to keep the Board apprised of ridership trends among transit operations in Placer County, staff will provide this report once per quarter.

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**Quarterly Ridership Trends by Transit Operator**

| Transit Operator             | FY 13/14                 |                          |                          |                          | FY 14/15                 |                          |                          |                          | 1-Year Change |
|------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|---------------|
|                              | 1st Quarter<br>(Jul-Sep) | 2nd Quarter<br>(Oct-Dec) | 3rd Quarter<br>(Jan-Mar) | 4th Quarter<br>(Apr-Jun) | 1st Quarter<br>(Jul-Sep) | 2nd Quarter<br>(Oct-Dec) | 3rd Quarter<br>(Jan-Mar) | 4th Quarter<br>(Apr-Jun) |               |
| <b>Auburn Transit</b>        |                          |                          |                          |                          |                          |                          |                          |                          |               |
| Total (all services)         | 12,603                   | 14,502                   | 12,843                   | 12,465                   | 12,855                   | 13,878                   | 12,654                   | 12,313                   | -1.4%         |
| <b>Lincoln Transit</b>       |                          |                          |                          |                          |                          |                          |                          |                          |               |
| Fixed Route                  | 8,967                    | 12,259                   | 11,541                   | 10,438                   | 9,636                    | 10,328                   | 10,050                   | 9,477                    | -8.6%         |
| Dial-A-Ride                  | 1,553                    | 1,652                    | 1,367                    | 1,500                    | 1,436                    | 1,537                    | 1,325                    | 1,398                    | -6.2%         |
| Total (all services)         | 10,520                   | 13,911                   | 12,908                   | 11,938                   | 11,072                   | 11,865                   | 11,375                   | 10,875                   | -8.3%         |
| <b>Placer County Transit</b> |                          |                          |                          |                          |                          |                          |                          |                          |               |
| Fixed Route                  | 82,096                   | 84,601                   | 79,203                   | 77,951                   | 76,527                   | 75,200                   | 72,958                   | 72,522                   | -8.2%         |
| Dial-A-Ride                  | 7,041                    | 8,713                    | 8,416                    | 8,209                    | 9,093                    | 9,029                    | 9,107                    | 10,036                   | 15.1%         |
| Vanpool                      | 7,964                    | 7,623                    | 8,051                    | 8,289                    | 8,276                    | 7,768                    | 7,794                    | 7,971                    | -0.4%         |
| Commuter                     | 20,826                   | 19,487                   | 20,646                   | 20,820                   | 21,441                   | 19,384                   | 19,778                   | 20,157                   | -1.2%         |
| Total (all services)         | 117,927                  | 120,424                  | 116,316                  | 115,269                  | 115,337                  | 111,381                  | 109,637                  | 110,686                  | -4.9%         |
| <b>TART</b>                  |                          |                          |                          |                          |                          |                          |                          |                          |               |
| Total (all services)         | 77,196                   | 76,344                   | 132,144                  | 59,474                   | 75,472                   | 74,428                   | 133,944                  | 54,268                   | -2.0%         |
| <b>Roseville Transit</b>     |                          |                          |                          |                          |                          |                          |                          |                          |               |
| Fixed Route                  | 60,007                   | 59,885                   | 59,744                   | 63,662                   | 61,491                   | 58,272                   | 57,547                   | 58,615                   | -3.0%         |
| Dial-A-Ride                  | 7,125                    | 6,953                    | 7,025                    | 7,551                    | 7,665                    | 7,623                    | 7,356                    | 7,556                    | 5.4%          |
| Commuter                     | 33,399                   | 31,193                   | 32,233                   | 33,623                   | 34,323                   | 31,523                   | 32,712                   | 33,304                   | 1.1%          |
| Total (all services)         | 100,531                  | 98,031                   | 99,002                   | 104,836                  | 103,479                  | 97,418                   | 97,615                   | 99,475                   | -1.1%         |
| <b>Western Placer CTSA</b>   |                          |                          |                          |                          |                          |                          |                          |                          |               |
| Health Express               | 1,488                    | 1,666                    | 2,008                    | 2,076                    | 2,245                    | 1,618                    | 1,597                    | 1,716                    | -0.9%         |
| My Rides                     | 1,705                    | 1,604                    | 1,711                    | 1,642                    | 1,491                    | 1,434                    | 1,542                    | 1,967                    | -3.4%         |
| Total (all services)         | 3,193                    | 3,270                    | 3,719                    | 3,718                    | 3,736                    | 3,052                    | 3,139                    | 3,683                    | -2.1%         |
| <b>Region-Wide</b>           |                          |                          |                          |                          |                          |                          |                          |                          |               |
| Total (all services)         | 321,970                  | 326,482                  | 376,932                  | 307,700                  | 321,951                  | 312,022                  | 368,364                  | 291,300                  | -3.0%         |

**6. CTSA Call Center Quarterly Call Summary Report**

The table below summarizes various Call Center statistics for the Placer County Consolidated Transportation Services Agency (CTSA), administered by the City of Roseville. The data highlights the change in stats between the first quarter of Fiscal Year 2013/14 and the fourth quarter of Fiscal Year 2014/15 (past two years). In an effort to keep the Board apprised of Call Center statistics, staff will provide this report once per quarter.

**Quarterly Call Center Statistics**

| Call Summary Data                  | FY 13/14                 |                          |                          |                          | FY 14/15                 |                          |                          |                          | 1-Year Change |
|------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|---------------|
|                                    | 1st Quarter<br>(Jul-Sep) | 2nd Quarter<br>(Oct-Dec) | 3rd Quarter<br>(Jan-Mar) | 4th Quarter<br>(Apr-Jun) | 1st Quarter<br>(Jul-Sep) | 2nd Quarter<br>(Oct-Dec) | 3rd Quarter<br>(Jan-Mar) | 4th Quarter<br>(Apr-Jun) |               |
| Calls Answered                     | 11,387                   | 11,822                   | 12,932                   | 13,634                   | 14,394                   | 14,114                   | 13,615                   | 13,678                   | 12.1%         |
| % Calls Answered within 90 seconds | 93%                      | 88%                      | 90%                      | 91%                      | 88%                      | 93%                      | 92%                      | 92%                      | 0.8%          |
| % Calls Answered within 3 minutes  | 98%                      | 95%                      | 96%                      | 97%                      | 96%                      | 98%                      | 98%                      | 97%                      | 0.8%          |
| % Calls Answered within 6 minutes  | 100%                     | 99%                      | 100%                     | 100%                     | 100%                     | 100%                     | 100%                     | 100%                     | 0.3%          |
| Calls Abandoned                    | 577                      | 916                      | 830                      | 816                      | 892                      | 692                      | 672                      | 839                      | -1.4%         |
| Average Speed Calls Answered       | 0.23                     | 0.36                     | 0.32                     | 0.30                     | 0.34                     | 0.25                     | 0.25                     | 0.27                     | -8.3%         |
| Average Incoming Call Time         | 2.29                     | 2.35                     | 2.48                     | 3.33                     | 2.32                     | 2.20                     | 2.27                     | 2.32                     | -12.8%        |
| Calls Transferred Out              | 2,323                    | 2,616                    | 2,657                    | 2,772                    | 3,101                    | 3,102                    | 2,994                    | 2,986                    | 17.5%         |

### PCTPA FSP 3rd and 4th Quarter Statistical Summary

Total Assists for 3rd and 4th Quarters: 1723

3rd Quarter: 921 --- 4th Quarter: 802

| Vehicle Type                        | Percent        | Count        | Vehicle Origin          | Percent        | Count        | About how long did you wait before Freeway Service Patrol arrived?  |        |    |
|-------------------------------------|----------------|--------------|-------------------------|----------------|--------------|---|--------|----|
| Car/Minivan/ Wagon                  | 54.0%          | 927          | Found by You            | 64.8%          | 1113         | Less than 5   | 48.6%  | 17 |
| Pickup Truck                        | 16.4%          | 281          | CHP Dispatched          | 24.5%          | 421          | 5 - 10 minutes  | 31.4%  | 11 |
| Sport Utility Vehicle/<br>Crossover | 15.5%          | 266          | Partner Assist          | 9.6%           | 164          | 10 - 15 minutes   | 8.6%   | 3  |
| Big Rig                             | 4.0%           | 68           | Revisit                 | 0.4%           | 7            | 15 - 20 minutes   | 8.6%   | 3  |
| Other                               | 3.3%           | 57           | CHP Directed            | 0.4%           | 7            | 20 - 30 minutes   | 2.9%   | 1  |
| Truck - Over 1 Ton                  | 3.1%           | 53           | Other                   | 0.4%           | 6            | 30 - 45 minutes   | 0.0%   | 0  |
| Truck - Under 1 Ton                 | 1.5%           | 26           | Blank                   | 0.3%           | 5            | 45 - 60 minutes   | 0.0%   | 0  |
| Motorcycle                          | 1.2%           | 21           |                         |                |              | Over an hour  | 0.0%   | 0  |
| RV/Motorhome                        | 1.0%           | 17           | <b>Vehicle Action</b>   | <b>Percent</b> | <b>Count</b> | <b>Was the driver courteous and helpful?</b>                        |        |    |
| Blank                               | 0.4%           | 7            | Traffic Control         | 26.2%          | 450          | Yes, very   | 100.0% | 35 |
|                                     |                |              | Quick Repair            | 18.2%          | 313          | Yes, somewhat   | 0.0%   | 0  |
| <b>Vehicle Location</b>             | <b>Percent</b> | <b>Count</b> | Not Needed              | 11.2%          | 192          | No  | 0.0%   | 0  |
| Right Shoulder                      | 83.7%          | 1436         | Towed Off Freeway       | 8.0%           | 137          | <b>How did the Freeway Service Patrol know you needed help?</b>     |        |    |
| Left Shoulder                       | 6.1%           | 104          | Towed to Drop Zone      | 7.9%           | 135          | Driver saw me   | 80.0%  | 28 |
| In Freeway Lane(s)                  | 5.8%           | 100          | Escort Off Freeway      | 6.6%           | 113          | Used a Call Box   | 0.0%   | 0  |
| Ramp/ Connector                     | 4.4%           | 75           | Private Assistance      | 6.4%           | 110          | Others  | 20.0%  | 7  |
| Unable to Locate                    | 0.1%           | 1            | Tagged Vehicle          | 5.7%           | 97           | <b>Overall, how would you rate this service?</b>                    |        |    |
| Blank                               | 0.4%           | 7            | Other                   | 3.4%           | 59           | Excellent   | 100.0% | 35 |
|                                     |                |              | Debris Removal          | 3.1%           | 53           | <b>How did you hear about the Freeway Service Patrol?</b>           |        |    |
| <b>Vehicle Problem</b>              | <b>Percent</b> | <b>Count</b> | Motorist Refused        | 3.0%           | 52           | Friend  | 2.9%   | 1  |
| Accident                            | 26.9%          | 462          | Provided Transportation | 0.4%           | 7            | Brochure  | 2.9%   | 1  |
| Mechanical                          | 21.8%          | 375          | Blank                   | 0.3%           | 5            | Other   | 8.6%   | 3  |
| Flat Tire                           | 18.6%          | 320          |                         |                |              | Hasn't heard until today  | 62.9%  | 22 |
| Out of Gas                          | 8.2%           | 141          | <b>Other Metrics</b>    |                |              | Seen trucks driving around  | 17.1%  | 6  |
| Abandoned                           | 5.7%           | 98           | Avg Duration (minutes)  |                | 9.8          | Helped previously   | 5.7%   | 2  |
| Other                               | 4.8%           | 83           | Overtime Assists        |                | 59.0         | <b>Source:</b>  |        |    |
| None                                | 4.7%           | 80           | Overtime                |                | 102.0        | <a href="http://www.sacmetrofsp.com">http://www.sacmetrofsp.com</a> |        |    |
| Driver Related                      | 3.5%           | 60           | Multi-Vehicle Assist    |                | 335.0        |   |        |    |
| Overheated                          | 2.4%           | 42           | <b>Comments</b>         |                |              |   |        |    |
| Debris                              | 2.2%           | 37           | Total Comments          | 35.0           |              |   |        |    |
| Electrical                          | 1.1%           | 18           |                         |                |              |   |        |    |
| Locked Out                          | 0.1%           | 2            |                         |                |              |   |        |    |
| Blank                               | 0.3%           | 5            |                         |                |              |   |        |    |

**MEMORANDUM**

**TO:** Celia McAdam  
**FROM:** AIM Consulting  
**DATE:** October 1, 2015  
**RE:** August and September 2015 Monthly Report

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The following is a summary of communications and public information work performed by AIM Consulting (AIM) on behalf of Placer County Transportation Planning Agency (PCTPA) in the months of August and September.

AIM assisted with media relations and public information. AIM maintained and drafted content for PCTPA social media and the blog page to share current information about PCTPA projects and activities.

AIM continued working with PCTPA on the first installment of the informational video series that will promote PCTPA, its projects and programs, and encourage the community to participate in a survey to help inform the upcoming Regional Transportation Plan. The first installment of the video series is currently in production and scheduled to be released in early October.

Following is a capsule summary of activities:

**Funding Strategy**

AIM continued to work with PCTPA and the consultant team on the Regional Transportation Funding Initiative. AIM is working with the funding strategy team to develop a photo database for use on collateral materials. AIM has continued to support PCTPA's efforts in discussing a future sales tax measure with community leaders and organizations.

**PCTPA E-News**

AIM worked with PCTPA staff to draft content for the next edition (#31) of the PCTPA e-newsletter, to be sent in early October with the release of the first installment of the video series.

**PCTPA.net**

AIM continued to update the blog with current news articles about PCTPA and additional information including the Executive Director's speaking engagements, public transportation workshops, PCTPA programs, and news releases. The blog page will continue to be updated with current information about projects, programs, and events.

AIM continued posting Social Media updates on the PCTPA's Facebook and Twitter pages as well as the Executive Director's Facebook page to highlight the work the Executive Director does for PCTPA, including photos from speaking engagements and events.

Key promotions included:

- Spare the Air for Bucks Program
- I-80 / SR 65 Interchange Improvements Project Draft Environmental Impact Report/Environmental Assessment (EIR/EA) Release & Public Hearing Notice
- Promotional teaser for the first PCTPA Destinations Video
- Celia's Speaking Events
- Capitol Corridor Promotions
- Placer County Public Transit Service Changes on Labor Day
- Air Quality & You Newsletter
- Caltrans News Release regarding SR 65 Lincoln Bypass Project
- Unmet Transit Needs Public Meeting Schedule

## Media Relations

AIM continued to monitor industry and local news in an effort to identify outreach opportunities as well as support the Agency's efforts to address local transportation and transit issues.

## Informational Video Series

AIM continued working with PCTPA on a plan for an informational video series to promote PCTPA, its projects and programs, and encourage the community to provide feedback to help inform the upcoming Regional Transportation Plan. The video series will feature key destinations throughout Placer County and how the community relies on PCTPA's projects and programs to access these locations. The video will highlight PCTPA's transportation investments and the areas where PCTPA needs to secure additional funding to enhance the transportation system in Placer County.

AIM filmed scenes at key destinations around Roseville and Rocklin for the first video installment which is currently in production and scheduled to be released in early October.





## Federal Advocates Inc.

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August 31, 2015  
 To: Celia McAdam  
 From: Sante and Michael Esposito  
 Subject: August Monthly Report

Note: Congress is in recess until September 8.

### **MAP-21 Reauthorization**

The focus has now shifted to the House of Representatives and in particular the Committees on Transportation and Infrastructure (T&I), Ways and Means (W&M), and Energy and Commerce (E&C). T&I has jurisdiction over the highway, highway safety, transit, motor carrier and rail portions of the reauthorization effort. W&M has jurisdiction over the funding of the entire bill. E&C has jurisdiction over motor vehicle safety issues. T&I expects to have the structure of their portion done by the end of September while waiting on W&M for the funding piece. W&M expects to have that finalized by mid-October. At this point, it will be a six-year bill flat-funded except for inflation. The primary source of revenue from W&M will be from the repatriation "tax holiday." However, that will not be enough to support the entire six years so W&M will also be looking at some of the Senate "pay-fors." Federal Advocates is in discussions with Members and staff of the three Committees in support of issues important to our clients.

To review, the Congress passed a three-month (in lieu of the House-passed five month) extension of the MAP-21 authorization which extends current surface transportation funding and programs until October 29, 2015. The purpose of the shorter extension is to keep the pressure on all parties to act quickly. The extension did not include reauthorization of the Export Import Bank. Also, the Senate passed its six-year (with three years of funding) DRIVE Act surface transportation bill by a vote of 65 to 34 - only a simple majority was required. Senate Majority Leader McConnell filed yet another "Manager's Amendment" with changes to the bill agreed to by leadership. With no opportunity provided to offer floor amendments, most changes to the bill and deals cut to gain votes were handled behind the scenes and included in a series of Manager's Amendments. The following outlines the original bill:

### **THE DRIVE ACT (Developing a Reliable and Innovative Vision for the Economy Act)**

#### **Highways:**

Core formula programs: reauthorizes the federal aid highway program, maintains formula program structure and increases the amounts each state will receive each fiscal year.

Bridges and large facilities of national importance: increases funding to maintain bridges of national importance and shifts additional revenue towards the Interstate System and the National Highway System.

Freight programs: establishes a formula-based freight program and expands flexibility for both rural and urban areas to designate key freight corridors that match regional goods movement on roads beyond the Primary Highway Freight System.

Major projects: provides funds for major projects of high importance to a community, region, or the nation through a competitive grant program.

User fee for electric vehicles: ensures all users of roads and bridges pay their fair share with a new federal share program initializing new state controlled user fees.

Federal lands and tribal projects program: empowers states to work with the Department of Transportation to develop ways to effectively utilize flexibilities for small projects, with new options to bundle rural road and bridge projects to increase efficiencies and better respond to community needs. The bill also authorizes funds for nationally significant federal lands and tribal transportation projects.

Environmental review process: cuts NEPA red tape and streamlines project delivery while improving collaboration between federal agencies.

#### **Research:**

Transportation research: advances education and innovation by requiring at least half of the grants in the Technology and Innovation Development Program to be distributed to outside entities.

Transparency: includes new provisions to improve the transparency of how and where transportation projects are selected and funded.

#### **Transportation Infrastructure Finance and Innovation Act of 1938 Amendments (TIFIA):**

TIFIA: updates the TIFIA program and provides state and local governments new options for stretching transportation dollars and increasing efficiency and utilization, and also improves the process whereby a TIFIA loan can be used to capitalize a State Infrastructure Bank, providing increased leverage for small, rural projects that was previously unavailable.

#### **Safety/Regulatory:**

Safety and regulatory: makes enhancements for safer highways as well as freight and passenger rail service through implementation of new technologies, new tools for federal safety watchdog

agencies, reforming grant programs for states, and transparency that promotes accountability. Railroad Safety – increases safety, improves infrastructure, facilitates the implementation of new technology, and cuts red tape.

Auto Safety – requires the Secretary of Transportation to certify that fundamental auto safety reforms have occurred before any additional funding is authorized and provides new targeted authorities to protect the traveling public, increase consumer awareness, and holds the auto industry accountable for safety violations.

Grants and Project Permitting – provides additional authority to streamline the delivery of infrastructure projects, consolidates state trucking enforcement grants to provide additional flexibility to states, and helps each state address unique safety and multimodal challenges for highways, railroads, ports, airports, and pipelines.

**Public Transit:**

Public transportation funding: \$2 billion over MAP-21 levels.

Buses: restores more than \$387 million to the Bus and Bus Facilities Program to bring the total program level back up to \$815 million by fiscal year 2021.

Urbanized Area Formula Grants: provides \$862 million.

Rail fixed guideway systems: includes a 7.5 percent increase, or \$162 million, in fiscal year 2016 to allow public transportation agencies with rail fixed guideway systems to continue to address their most pressing state of good repair needs.

Capital Investment Grant program: creates a new, expedited project delivery program for projects seeking minimal federal funding.

Rural areas: \$105 million, including additional funding for Public Transportation on Indian Reservations.

Training: \$4 million annually to address training deficiencies and workforce shortages impacting the public transportation industry.

Procurement methods: encourages innovative procurement methods for the purchase of public transportation vehicles by enabling state purchasing schedules, non-profit cooperative procurement programs, and new leasing options.

Minimum safety standards: grants the Federal Transit Administration the authority to set minimum safety standards to ensure the safe operation of public transportation systems. Value capture financing: permits revenue generated from value capture financing to be counted towards the local share of a project cost.

**Federal Permitting:**

Federal permits: addresses the permitting process for major capital projects in three ways: better coordination and deadline-setting for permitting decisions; enhanced transparency; and reduced litigation delays.

Via a McConnell substitute amendment, changes (see outline below) were made to the original bill. The changes include the transfer of \$100M in annual funding from the highway program (\$50M from TIFIA and \$50M from the new AMPP program) to the transit program in order to maintain an 80/20 funding split between the two modes.

**CHANGES: MCCONNELL #2266 (EDW15730) TO MODIFICATION #1 (EDW15748)**

**FINANCE DIVISION**

1. Technical changes suggested by JCT to Sec. 52101 related to "Consistent basis reporting between estate and person acquiring property from decedent", Sec. 52105 related to "Return due date modifications", and Sec. 52104 related to "Additional information on returns relating to mortgage interest."
2. Redrafted HHF rescission.
3. General Fund transfer provision (Sec. 51201) modified the highway/transit split – highways \$35,800,000,000 and transit 11,315,000,000.
4. Removed fugitive felons, Section 52303.

**COMMERCE DIVISION**

1. Removed Section 32201 related to minimum insurance standards
2. Added back line about "prohibition of use of CSA data in court case"
3. Codified the freight savings provision
4. Fixed an incorrect CBO reference that should have been OMB

**BANKING DIVISION**

1. Recalculated the state minimum allocation under the formula which was included in Section 5338 but was omitted from 5339.
2. \$100 million increase per year in the High Intensity/Fixed Guideway State of Good Repair formula program (see offset under EPW).

**EPW DIVISION**

1. Conforming changes related to the authorization levels for TIFIA and the freight program. On Page 13, Line 25 and Page 14, Lines 1 and 2, of the original amendment (EDW15730) the numbers are changed as follows: \$40,079,500,000 for FY16, \$41,071,300,000 for FY17, \$42,127,100,000 for FY18, FY19-FY21 stay the same.
2. Split the set-aside for bridges off of the National Highway System and directed 50% of those funds onto bridges that are off the Federal-aid system entirely (i.e., small bridges that would be difficult to fund using only local dollars).
3. Reduced TIFIA by \$50 million and AMP by \$50 million each year (offset for Transit changes)

## CHANGES FROM MODIFICATION #1 (EDW15748) TO MOD #2 (EDW15759)

### FINANCE DIVISION

1. Removes Section 52301 (Hardest Hit Fund termination).
2. Adjusts General Fund transfer provision.
3. Transfers \$100m per year in 2015, 2016, and 2017 of surplus funds from the LUST trust fund to the Highway Trust Fund.

### COMMERCE DIVISION

1. Section 32302: Modifies underlying provision to stipulate that DOT can proceed with non-statutory rulemaking upon a finding of "significant need" vs previous language that stipulated "an imminent and significant safety need"
2. Section 32003: Strikes "analysis of violation information" to ensure U.S. DoT can use the analysis in a safety fitness determination rulemaking
3. Section 31206: Clarifies compliance with FITARA and was requested by HSGAC. Ensures DoT's Chief Information Officer consults with the Director of the Bureau of Transportation Statistics on the protection of the confidentiality of information.
4. Section 35431: Modifies Real-Time Emergency Response Information as passed by the Senate Commerce Committee to allow local first responders the ability to request advance notice of information regarding the movement of High Hazard Flammable Trains via existing Fusion Centers.
5. New Section in Rail Title (Title 5): To require the Federal Railroad Administration to maintain bridge inspection reports and provide such reports to state and local officials upon request.
6. Clarifies the substitute's underlying thermal blanket standard to ensure greater protections in the event of a pool fire of retrofitted or new rail tank cars.
7. Strikes an extraneous paragraph no longer needed because of previous edits that were already incorporated in earlier McConnell amendment

### EPW DIVISION

1. Reduces the authorization level for the freight program in FY16 from \$1.5B to \$1.0B and in FY17 from \$1.75B to \$1.45B.
2. Reduces the annual authorization level for TIFIA from \$450M to \$300M;
3. Removes the \$26M/year authorization out of the HTF for the Bureau of Transportation Statistics.

### BANKING DIVISION

1. Slows the growth of major formula programs in the transit title to an average of 2% in the first year and at CPI annually thereafter with the exception of the Urbanized Area Formula Grants and the Bus and Bus Facilities program, which each receive an additional \$50 million in 2018. Retains significant growth in both the Bus and Bus Facilities Program and the State of Good Repair Program for fixed guideway systems at 43% and 12% respectively.

### MISCELLANEOUS DIVISION

1. Incorporates the provisions of the House-passed version of HR 22, Hire More Heroes (passed the House 412-0 on January 6, 2015) since those provisions would be eliminated by the substitute amendment.

### **President's Transportation Bill (MAP-21 Reauthorization)**

To review, on March 30, the Administration unveiled "The Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America Act," or GROW AMERICA Act, a \$478 billion, six year transportation reauthorization proposal that provides increased funding for the nation's highways, bridges, transit, and rail systems. The Administration's proposal is funded by supplementing current revenues from the Highway Trust Fund in combination with a 14 percent transition tax on up to \$2 trillion of untaxed foreign earnings that U.S. companies have accumulated overseas. This is intended to prevent Trust Fund insolvency for six years and increase investments to meet national economic goals. Highlights of the proposal are:

*\$317 billion for the highways.* The proposal increases highway funds by an average of about 29 percent above FY 2015 enacted levels.

*\$115 billion for transit.* The proposal increases average transit spending by 76 percent above FY 2015 enacted levels.

*Tools and resources for regional coordination and local decision-making.* The proposal includes policy reforms to incentivize improved regional coordination by Metropolitan Planning Organizations (MPOs).

*Tools for dangerous vehicle and tire defects.* The proposal gives NHTSA the authority to issue imminent hazard orders requiring vehicle manufacturers to immediately take action to alleviate harm in cases where there is an imminent risk of injury or death.

*\$18 billion for a multi-modal freight program.* The proposal provides \$18 billion over six years to establish a new multimodal freight grant program.

*\$28.6 billion for rail investments.* The proposal includes \$28.6 billion over six years for high performance and passenger rail programs.

*Competitive funding to spur innovation.* The proposal provides \$7.5 billion over six years for the TIGER competitive grant program and \$6 billion for a new competitive grant program called Fixing and Accelerating Surface Transportation (or "FAST").

*Project delivery and the Federal permitting and regulatory review process.* The proposal builds on recent efforts to expedite project approval timelines.

*Cost effective investments.* The proposal provides performance incentives to maintain safety and conditions of good repair and expand research and technology activities.

\$6 billion to attract *private investment in transportation infrastructure*. The proposal provides \$6 billion in TIFIA funding over six years

### **FY16 House Transportation Appropriations Bill**

Note: a Continuing Resolution (duration not yet known) will be adopted by October 1.

On June 6, the House passed its version of the FY16 Transportation Appropriations bill. In a letter from OMB to the House Appropriations Committee Chairman serious concerns were raised about locking in FY16 sequestration funding levels for DOT programs. OMB opposes the proposed House cuts in funding for TIGER, FTA Capital Investment Grants, and FAA's Facilities & Equipment program. The letter does not mention the cuts to Amtrak. The letter also opposes a number of policy riders including strongly objecting to the House language that would prohibit the Surface Transportation Board (STB) from taking any action to approve subsequent phases of the California High-Speed Rail project. The letter does not mention whether OMB would recommend that the President veto the bill. Highlights of the House bill are as follows:

**Highways** – The bill provides over \$40.25 billion from the Highway Trust Fund to be spent on the Federal-aid Highways Program. This is equal to the fiscal year 2015 level. This funding is contingent on the enactment of new transportation authorization legislation, as the current authorization expires this year.

**Air** – Included in the legislation is \$15.9 billion in total budgetary resources for the Federal Aviation Administration (FAA) – \$159 million above the fiscal year 2015 enacted level and \$40 million above the request. This will provide full funding for all air traffic control personnel, including 14,500 air traffic controllers, 7,400 safety inspectors, and operational support personnel. The bill also funds FAA's Next Generation Air Transportation Systems (NextGen) at \$931 million, and funds Contract Towers at \$154 million. These investments will help ease future congestion and help reduce delays for travelers in U.S. airspace. In addition, the bill rejects the Administration's proposals for new passenger facility and general aviation fees.

**Rail** – The Federal Railroad Administration is funded at \$1.4 billion, a reduction of \$262 million below the fiscal year 2015 enacted level. This includes \$289 million for Amtrak operations – continuing service for all current routes – and \$850 million for capital grants. The bill also continues reforms to ensure the best use of tax dollars, such as requiring overtime limits for Amtrak employees to reduce unnecessary costs, and prohibiting federal funding for routes where Amtrak offers a discount of 50% or more off normal, peak fares. No funding is provided for High-Speed Rail. In addition, rail safety and research programs are funded at \$226 million, equal to the fiscal year 2015 enacted level. This will fund inspectors and training to help ensure the safety of passengers and local communities. The bill also allows \$6.5 million in funding for a highway rail-grade crossing safety initiative.

**Transit** – The bill provides \$10.7 billion for the Federal Transit Administration (FTA) – \$161 million below the fiscal year 2015 enacted level. Transit formula grants total \$8.6 billion, which is consistent with the MAP-21 authorization legislation, to help local communities build, maintain, and ensure the safety of their mass transit systems. This funding is contingent on the

enactment of new transportation authorization legislation, as the current authorization expires this year. Within this amount, the legislation provides a total of \$1.9 billion for Capital Investment Grants (“New Starts”), full funding for all current “Full Funding Grant Agreement” (FFGA) transit projects, and an additional \$250 million for projects that will enter a FFGA by the end of fiscal year 2016. Also included is \$40 million for core capacity projects, and full funding for all state and local “Small Starts” projects that will begin in fiscal year 2016. These programs provide competitive grant funding for major transit capital investments – including rapid rail, light rail, bus rapid transit, and commuter rail – that are planned and operated by local communities.

Maritime – The legislation includes \$361 million for the Maritime Administration, \$19.8 million above the fiscal year 2015 enacted level, to increase the productivity, efficiency and safety of the nation’s ports and intermodal water and land transportation. The Maritime Security Program is funded at the fully authorized level of \$186 million.

Safety – The legislation contains funding for the various transportation safety programs and agencies within the Department of Transportation. This includes \$837 million in total budgetary resources for the National Highway Traffic Safety Administration (NHTSA) – an increase of \$6.5 million over the fiscal year 2015 enacted level – and \$572 million for the Federal Motor Carrier Safety Administration. Also included is \$227 million for the Pipeline and Hazardous Materials Safety Administration, an increase of \$6.9 million over the fiscal year 2015 enacted level, to help address safety concerns including the transport of energy products.

Grants – The legislation funds National Infrastructure Investment grants (also known as TIGER grants) at \$100 million, \$400 million below the fiscal year 2015 enacted level and \$1.15 billion below the request.

### **FY16 Senate Transportation Appropriations Bill**

On June 25, the Senate Appropriations Committee approved its version of the FY16 Transportation Appropriations Bill. The bill includes \$17.78 billion in FY2016 discretionary appropriations for the Department of Transportation, \$17 million below the FY2015 enacted level and \$3.9 billion below the President’s request (disregarding the administration request to shift certain programs from discretionary to mandatory spending).

TIGER Grants – \$500 million, equal to the FY2015 enacted level, for TIGER grants.

Highway Trust Fund – \$40.26 billion, equal to the FY2015 enacted level, from the Highway Trust Fund to be spent on the Federal-aid Highways Program, contingent on the enactment of new transportation authorization legislation. The bill also frees up to \$2.4 billion in old, unused earmarks for infrastructure projects that can be spent on other important transportation projects.

Federal Aviation Administration (FAA) – \$16 billion in total budgetary resources for the FAA, \$294 million above the FY2015 enacted level and \$175 million above the request. This will provide full funding for all air traffic control personnel, including 14,500 air traffic controllers, and more than 25,000 engineers, maintenance technicians, safety inspectors, and operational



support personnel. The bill also makes investments in the FAA Next Generation Air Transportation Systems (NextGen) and the Contract Towers program to help ease future congestion and to help reduce delays for travelers in U.S. airspace. In addition, the bill rejects the administration's proposals for new passenger facility charge fees and transfer authority.

Federal Railroad Administration – \$1.68 billion, an increase of \$53 million above the FY2015 enacted level. This includes \$289 million for Amtrak operations and continued service for all current routes, and \$1.1 billion for capital grants. The bill also provides an additional \$17 million for the Northeast Corridor and promotes necessary reforms to Amtrak.

Rail Safety and Research Programs – \$288 million, \$12 million above the FY2015 enacted level for rail safety and research programs, including inspectors and training to help ensure the safety of passengers and local communities. The bill also allows \$50 million for rail safety grants, to support implementation of Positive Train Control (PTC), enhance passenger rail safety, and reduce highway-rail grade crossings incidents.

Federal Transit Administration (FTA) – \$10.5 billion, \$424 million below the FY2015 enacted level, for the FTA. Transit formula grants total \$8.6 billion, which is contingent on the enactment of new transportation authorization legislation, as the current authorization expires this year. This funding level is consistent with the MAP-21 authorization legislation. The bill provides a total of \$1.6 billion for Capital Investment Grants (“New Starts”), fully funding all current “Full Funding Grant Agreement” (FFGA) transit projects as well as new projects. Also \$75 million is provided for core capacity projects and \$30 million for Small Starts projects-- competitive grant funding for major transit capital investments – including rapid rail, light rail, bus rapid transit, and commuter rail – that are planned and operated by local communities.

Maritime Administration – \$373 million, \$32 million above the FY2015 enacted level, for the Maritime Administration to increase the productivity, efficiency and safety of the nation's ports and intermodal water and land transportation. The Maritime Security Program is funded at the authorized level of \$186 million. The bill includes \$33 million for State Maritime Academies, including \$5 million to develop a replacement vessel for the six SMA training ships. These training ships are essential to continuing a strong merchant marine workforce.

National Highway Traffic Safety Administration – \$825 million in total budgetary resources for the National Highway Traffic Safety Administration, including an increase in funding for the Office of Defects Investigation to address concerns with vehicle recalls.

Federal Motor Carrier Safety Administration – \$572 million for the Federal Motor Carrier Safety Administration. The report includes several key safety provisions, including a requirement that the Department complete its final rule on Electronic Logging Devices and its proposed rule on Speed Limiters.

Pipeline and Hazardous Materials Safety Administration – \$246 million for the Pipeline and Hazardous Materials Safety Administration to address safety concerns related to recent pipeline and crude oil by rail accidents. The bill includes language that will help develop web-based curriculum for local emergency responders.

## Bill Tracking

Note: some of the following bills lack a subject summary. That is because the internal Hill bill information system has still not “caught up” with the number of bills introduced. It will. Also, some of the following bills may drop off the tracking list depending upon what is learned about their subject matter.

### **H.R.935, To establish a National Freight Network Trust Fund to improve the performance of the national freight network, and for other purposes.**

Introduced on Feb. 12 by Congresswoman Janice Hahn (D-CA-44) with 11 (now 18) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure and Ways and Means. Last Congress: On July 14, Congresswoman Janice Hahn (D-CA), Co-Chair of the Congressional Ports Caucus, introduced H.R. 5101, the “National Freight Network Trust Fund Act of 2014”. The legislation (with 39 cosponsors) calls for transferring five percent of all import duties collected by U.S. Customs and Border Protection (calculated to be about \$1.9B annually) into a new freight trust fund. Her goal is to use this bill to continue the freight funding discussion as the House Transportation and Infrastructure Committee starts to draft its MAP-21 reauthorization bill. Hahn's bill: operates as a competitive grant program in which the U.S. Secretary of Transportation makes the selections; requires a federal project cost share of 90 percent; names ports, states, and local and regional transportation bodies as eligible entities; names state freight plan projects and state transportation plan projects as eligible; specifies that funds can be used for connectors, regional freight projects, cross-border projects, on dock rail, and intermodal freight facility projects; and, requires state freight plans be updated every five years.

Status Update: no change since the last report.

### **H.R.2716, Transportation Empowerment Act**

Introduced on June 10 by Congressman Ron DeSantis (R-FL-6) with 9 (now 34) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure, Ways and Means, Budget and Rules.

Status Update: one cosponsor added since the last report.

### **S.1544, A bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes.**

Introduced on June 10 by Senator Jeff Flake (R-AZ) with no (now 2) cosponsors. The bill was referred to the Committee on Appropriations.

Status Update: no change since the last report.

### **H.R.198, the “MOVE Freight Act of 2015”**

Introduced on January 7 by Congressman Albio Sires (D-NJ-8) with no (now 4) cosponsors. The bill was referred to the House Committee on Transportation and Infrastructure. The Multimodal Opportunities Via Enhanced Freight Act of 2015 or “MOVE Freight Act of 2015” defines the “national freight network” as a network composed of highways, railways, navigable waterways, seaports, airports, freight intermodal connectors, and aerotropolis transportation systems most critical to the multimodal movement of freight; revises requirements for establishment and designation of a national freight network; directs the Secretary of Transportation (DOT) to establish a national freight network for efficient movement of freight on highways (as currently), railways, and navigable waterways, as well as into and out of inland ports, seaports, and airports; recharacterizes the primary freight network as multimodal, including critical rail corridors, critical intermodal connections, and critical inland port, seaport, and airport infrastructure; directs the Secretary to require (currently, encourage) states to develop state freight plans for immediate and long-range planning activities and investments with respect to freight. Requires states to coordinate with neighboring states to ensure multistate network continuity and connectivity; directs the Secretary to establish a competitive grant program for capital investment projects that improve the efficiency of the national transportation system to move freight; limits the federal share of project net capital costs to 80%; and, requires a grant recipient to submit to the Secretary: (1) a project management plan and an annual financial plan for a project with a total cost of \$500 million or more, or (2) an annual financial plan for a project with a total cost of \$100 million or more.

Status Update: no change since the last report.

### **S.1732, Comprehensive Transportation and Consumer Protection Act of 2015**

Introduced on July 9 by Senator John Thune (R-SD) with two cosponsors. The bill was referred to the Committee on Commerce, Science, and Transportation and was ordered to be reported.

Status Update: no change since the last report.

### **H.R.2353, Highway and Transportation Funding Act of 2015**

Introduced on May 15 by Congressman Bill Shuster (R-PA-9) with one cosponsor. Directs the Secretary of Transportation to reduce the amount apportioned for a surface transportation program, project, or activity for FY2015 by amounts apportioned or allocated under the Highway and Transportation Funding Act of 2014 for the period from October 1, 2014, through May 31, 2015. Amends the Highway and Transportation Funding Act of 2014 to continue from October 1, 2014, through July 31, 2015, and authorizes appropriations through that period for, specified federal-aid highway programs under: the Moving Ahead for Progress in the 21st Century Act (MAP-21), the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Technical Corrections Act of 2008, SAFETEA-LU, the Transportation Equity Act for the 21st Century (TEA-21), the National Highway System Designation Act of 1995, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and other specified law. Subjects funding for such programs generally to the same manner of distribution,

administration, limitation, and availability for obligation, but at a specified pro rata of the total amount, as funds authorized for appropriation out of the Highway Trust Fund (HTF) for such programs and activities for FY2014. Amends the Moving Ahead for Progress in the 21st Century Act (MAP-21) to authorize appropriations out of the general fund of the Treasury for the Tribal High Priority Projects program for the same period. Prescribes an obligation ceiling of \$33,528,284,932 for federal-aid highway and highway safety construction programs for the same period. Authorizes appropriations from the HTF (other than the Mass Transit Account) for administrative expenses of the federal-aid highway program for the same period. Extends for the same period the authorization of appropriations for National Highway Traffic Safety Administration (NHTSA) safety programs, including: highway safety research and development, national priority safety programs, the National Driver Register, the High Visibility Enforcement Program, and NHTSA administrative expenses. Amends SAFETEA-LU to extend for the same period high-visibility traffic safety law enforcement campaigns under the High Visibility Enforcement Program. Sets aside a specified amount of the total apportionment to states for highway safety programs for a cooperative program to research and evaluate priority highway safety countermeasures for the same period. Extends for the same period the authorization of appropriations for Federal Motor Carrier Safety Administration (FMCSA) programs, including: motor carrier safety grants, FMCSA administrative expenses, commercial driver's license program improvement grants, border enforcement grants, performance and registration information system management grants, commercial vehicle information systems and networks deployment grants, safety data improvement grants, a set-aside for high priority activities that improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations, a set-aside for new entrant motor carrier audit grants, FMCSA outreach and education, and the commercial motor vehicle operators grant program. Amends the Dingell-Johnson Sport Fish Restoration Act to continue, for the same period, the authorized distribution of funds for coastal wetlands, recreational boating safety, projects under the Clean Vessel Act of 19921, boating infrastructure projects, and the National Outreach and Communications Program. Extends for the same period the apportionment of nonurbanized (rural) area formula grants for competitive grants and formula grants for public transportation on Indian reservations. Extends the apportionment of urbanized area formula grants for passenger ferry projects for the same period. Extends for the same period the authorization of appropriations from the HTF Mass Transit Account for: formula grants for public transportation, including allocations for specified projects; research, development demonstration, and deployment projects; the transit cooperative research program; technical assistance and standards development grants; human resources and training grants; capital investment grants; and administrative expenses. Allocates, for the same period, certain amounts to states and territories for formula bus and bus facilities grants. Authorizes appropriations for the same period for hazardous materials (hazmat) transportation safety projects. Authorizes the Secretary to make certain expenditures, including an amount for hazmat training grants, from the Hazardous Materials Emergency Preparedness Fund for the same period. Amends the Internal Revenue Code to extend through July 31, 2015, the authority for expenditures from: (1) the HTF Highway and Mass Transit Accounts, (2) the Sport Fish Restoration and Boating Trust Fund, and (3) the Leaking Underground Storage Tank Trust Fund. Bill became law (PL 114-21).

Status Update: no change since the last report.

**H.R.2410, To authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes.**

Introduced on May 19 by Congressman Peter DeFazio (D-OR-4) with 23 (now 60) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure, Energy and Commerce, Ways and Means, Science, Space, and Technology, Natural Resources, Oversight and Government Reform, the Budget, and Rules. Prescribes requirements for environmental reviews with respect to state and federal agency engagement, obstruction of navigation, historic sites, categorical exclusion of multimodal projects from environmental review, and creation in the Department of Transportation (DOT) of an Interagency Infrastructure Permitting Improvement Center. Directs DOT to establish a multimodal freight incentive grant program and a National Freight Infrastructure Program. Redesignates the Dwight D. Eisenhower System of Interstate and Defense Highways as the National Highway System and the National Freight Network. Requires the federal long-range transportation plan to include a transportation system resilience assessment. Prescribes criteria for high performing metropolitan planning organizations (MPOs) representing urbanized areas with populations of over 200,000. Removes the congestion management process from the transportation planning process for MPOs. Directs DOT to establish a pilot program for up to 10 MPOs to improve multimodal connectivity and increase connections for disadvantaged Americans and neighborhoods with limited transportation options. Revises requirements with respect to congestion mitigation and air quality improvement, including electric vehicle charging stations and commercial motor vehicle anti-idling facilities in rest areas along the Interstate System. Establishes in DOT: a discretionary TIGER Infrastructure Grant Program for various transportation projects; and a discretionary FAST Grant Program to reform the way surface transportation investments and decisions are made, implemented, and funded to achieve national transportation outcomes. Revises requirements for the funding of railroad rehabilitation and improvement financing, the state infrastructure bank program, toll roads, bridges, tunnels, and ferries. Establishes within DOT the position of Assistant Secretary for Innovative Finance. Reauthorizes the federal-aid highway and related programs through FY2021, including revised obligation limitation and apportionment requirements. Directs DOT to: establish a nationally significant federal lands and tribal projects program to fund construction, reconstruction, or rehabilitation of nationally significant federal lands and tribal transportation projects; carry out a broadband infrastructure deployment initiative; create a program to make critical and immediate improvements to infrastructure and highway safety; set-aside specified funds for states for highway safety data improvement activities on public roads; and create and maintain data sets and data analysis tools to assist MPOs, states, and the DOT in carrying out performance management analyses. Federal *Public Transportation Act of 2015* Revises fixed guideway capital investment grants requirements. Authorizes grants to state and local governments for very small starts projects. Revises requirements for formula grants for enhanced mobility and for rural areas, workforce development programs, and the public transportation safety program. Requires recipients of transportation assistance to meet certain standards for hiring locally. Reauthorizes specified public transportation assistance programs through FY2021. Authorizes DOT to make competitive grants to state and local governmental entities for bus rapid transit projects. Authorizes appropriations for specified highway safety programs through FY2021, and revises related requirements. Revises criteria for state graduated driver licensing incentive grants. Adds a 24-7 sobriety program to criteria for state repeat offender and open container laws. Authorizes

specified amounts of grant funds to states for distracted driving enforcement. Authorizes appropriations for specified motor vehicle safety programs through FY2021, and increases penalties for safety violations. Revises certain reporting requirements for tire manufacturers. Requires DOT to conduct a pilot grant program to evaluate the feasibility and effectiveness for a state process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration. Revises specified requirements for commercial motor vehicle and commercial driver safety. Requires disqualification to operate a commercial motor vehicle for anyone who fails to pay an assessed civil penalty for a motor vehicle safety violation. Revises certain medical and registration requirements for commercial motor vehicle operators. Revises requirements for the Motor Carrier Safety Assistance Program. Directs DOT to administer a High Priority Program, an innovative technology deployment grant program, and a Commercial Motor Vehicle Operators Grant Program. Authorizes DOT to establish: a motor carrier safety facility working capital fund, and a financial assistance program for commercial driver's license program implementation. Directs DOT to maintain for the Federal Motor Carrier Safety Administration a motor carrier safety advisory committee. Revises requirements for the Unified Carrier Registration System plan. Repeals the authorization for self-insurance by motor carriers. Prescribes notice requirements relating to decisions that electronic logging devices fail to comply with standards. Authorizes DOT to issue regulations: governing contractors that exercise control over motor carrier operations; and requiring motor vehicle employers to track and compensate employees for on-duty, not-driving time. Authorizes DOT, with respect to unsafe conditions or practices in the transportation of hazardous materials (hazmat transportation), to order necessary: operational controls, restrictions, and prohibitions without prior notice or an opportunity for a hearing; and removal, remediation, or disposal of hazardous materials causing unreasonable risk of death, personal injury, or significant harm to the property or the environment. Authorizes DOT to collect reasonable fees for the administration of the special permits and approvals for deposit into a Hazardous Materials Approvals and Permits Fund. Revises requirements for planning and training grants under the Emergency Planning and Community Right-To-Know Act of 1986. Reauthorizes the program for regulating hazmat transportation through FY2021. Amends the Internal Revenue Code to extend through FY2023 specified highway-related taxes as well as requirements for expenditures from the Sport Fish Restoration and Boating Trust Fund. Replaces the Highway Trust Fund with a Transportation Trust Fund, and authorizes appropriations to it through FY2021. Directs DOT to establish and support a National Cooperative Freight Transportation Research Program and a Priority Multimodal Research Program. Revises the competitive selection process for the university transportation centers consortia program. Requires the Director of the Bureau of Transportation Statistics (BTS) to create data sets and data analysis tools for intermodal transportation data. Establishes in the BTS a National Transportation Library. Authorizes the BTS Director to establish a Port Performance Statistics Program to provide nationally consistent measures of performance of the nation's maritime ports. Revises requirements for the intelligent transportation system (ITS) program. Includes as an ITS program goal the development and deployment of automated vehicles in all modes of surface transportation. Prescribes requirements for the use of funds to develop ITS infrastructure, equipment, and *systems*. *Rail for America Act* Directs DOT to facilitate by financial assistance the establishment of a National High-Performance Rail System of integrated passenger and freight rail services, including a Current Passenger Rail Service Program and a Rail Service Improvement Program. Authorizes appropriations through FY2021 for the System and for the planning, development, construction, and implementation of rail corridors and related

infrastructure improvements. Requires Amtrak to submit to the Secretary draft 5-year business line plans and draft 5-year capital asset plans. Authorizes DOT to establish Regional Rail Development Authorities, including a Regional Committee, to facilitate the development of multi-state high-performance rail services, and to coordinate these investments with other rail, transit, highway, and aviation system services. Prescribes requirements for the standardization of passenger equipment and level-entry boarding platforms. Directs DOT to: evaluate the shared-use of right-of-way by passenger and freight rail systems and the operational, institutional, and legal structures that would best support improvements to both of these systems; and conduct a nationwide disparity and availability study to establish the availability and utilization of small business concerns owned and controlled by socially and economically disadvantaged individuals in publicly funded railroad projects. Requires DOT to complete a National Rail Development Plan meeting certain criteria, and facilitate development of Regional Rail Development Plans. Authorizes DOT to prescribe regulations or issue orders to require host railroads for joint operations that occur within a small geographic area to develop unified rules governing all operations within that area. Revises or prescribes requirements relating to positive train control, hours of service, maximum employee duty hours, safety appliances, locomotive inspections, noise emission standards, and damaged track inspection equipment. Authorizes federal agency heads to construct, install, operate, and maintain electric charging infrastructure for official agency vehicles.

Status Update: seven cosponsors added since the last report.

#### **S.206, Local Transportation Infrastructure Act**

Introduced on January 21 by Senator Kelly Ayotte (D-NH) with no cosponsors. The bill was referred to the Committee on Commerce, Science and Transportation. The bill revises and reauthorizes the state infrastructure bank program for FY2015 and FY2016.

Status Update: no change since the last report.

#### **H.R.652, State Transportation and Infrastructure Financing Innovation Act (STIFIA)**

Introduced on February 3 by Congressman Richard Hanna (R-NY-22) with 3 cosponsors. The bill was referred to the Subcommittee on Highways and Transit of the Transportation and Infrastructure Committee. The bill revises and reauthorizes the state infrastructure bank program for FY2016-FY2020.

Status Update: no change since the last report.

#### **H.R.413, Partnership to Build America Act of 2015**

Introduced on January 21 by Congressman John Delaney (D-MD-6) with 34 (now 41) cosponsors. The bill was referred to the Committees on Ways and Means and Transportation and Infrastructure. The bill establishes the American Infrastructure Fund (AIF) as a wholly-owned government corporation to provide bond guarantees and make loans to state and local governments, non-profit infrastructure providers, private parties, and public-private partnerships

for state or local government sponsored transportation, energy, water, communications, or educational facility infrastructure projects (Qualified Infrastructure Projects [QIPs]). Authorizes AIF also to make equity investments in QIPs. Directs the Secretary of the Treasury, acting through the AIF, to issue American Infrastructure Bonds with an aggregate face value of \$50 billion. Requires proceeds from the sale of the bonds to be deposited into the AIF. Amends the Internal Revenue Code to allow U.S. corporations to exclude from gross income qualified cash dividend amounts received during a taxable year from a foreign-controlled corporation equal to the face value of qualified infrastructure bonds the corporation has purchased. Prohibits allowance of a foreign tax credit to the excluded portion of any dividend received by a U.S. corporation. Prohibits also the allowance of a deduction for expenses related to that excludable portion.

Status Update: no change since the last report.

### **H.R.625, Infrastructure 2.0 Act**

Introduced on January 30 by Congressman John Delaney (D-MD-6) with 4 (now 23) cosponsors. The bill was referred to the Committees on Rules, Ways and Means and Transportation and Infrastructure. Amends the Internal Revenue Code, with respect to the taxation of earnings and profits of a deferred foreign income corporation, to: (1) make such earnings and profit subject to taxation in the last taxable year that ends before the enactment of this Act; (2) reduce the rate of tax on such earnings and profits by allowing an exemption of 75% (equal to a tax of 8.75% of repatriated earnings and profits); and (3) allow such corporations to elect to pay such tax in eight installments. Establishes the American Infrastructure Fund to provide assistance to states, local governments, and other public and private entities for investment in public infrastructure projects. Appropriates tax revenues from this Act to the Highway Trust Fund. Establishes the Highway Trust Fund Solvency Commission to submit recommendations and proposed legislation for achieving long-term solvency of the Highway Trust Fund. Sets forth congressional procedures for the expedited consideration of a bill containing such legislation. Directs the Secretary of Transportation to establish a regional infrastructure accelerator pilot program to assist public entities in developing infrastructure projects. Establishes a deadline of 18 months after the enactment of this Act for the enactment of legislation that reforms the international tax system by eliminating the incentive to hold earnings in low-tax jurisdictions. Imposes a tax on repatriated offshore corporate earnings upon the expiration of the deadline. Sets forth provisions for the reform of the international tax system (to be effective if reform legislation is not enacted by the 18-month deadline established by this Act), including provisions relating to subpart F income and insurance income, gains and losses from the sale or exchange of stock in controlled foreign corporations, limitations on the foreign tax credit, and the tax treatment of previously deferred foreign income.

Status Update: two cosponsors added since the last report.

### **H.R.211, REBUILD Act**

Introduced on January 8 by Congressman Ken Calvert (R-CA-42) with no cosponsors. The bill was referred to the House Committee on Natural Resources. This bill amends the National



Environmental Policy Act of 1969 (NEPA) to authorize: (1) the assignment to states of federal environmental review responsibilities under NEPA and other relevant federal environmental laws for covered federal projects, and (2) states to assume all or part of those responsibilities. Each responsible federal official who is authorized to assign such responsibility must promulgate regulations that establish requirements relating to information required to be contained in state applications to assume those responsibilities. An official may approve an application only if: (1) public notice requirements have been met, (2) the state has the capability to assume the responsibilities, and (3) the head of the state agency having primary jurisdiction over covered projects enters into a written agreement with an official to assume the responsibilities and to maintain the financial resources necessary to carry them out. The officials must audit state compliance with federal laws for which responsibilities are assumed. The officials may terminate the responsibilities assigned to states after providing notice to states of any noncompliance and an opportunity to take corrective action.

Status Update: no change since the last report.

### **S.268, Rebuild America Act of 2015**

Introduced on January 27 by Senator Bernard Sanders (I-VT) with one cosponsor. The bill was referred to the Committee on Banking, Housing, and Urban Affairs. Reduces the non-federal share of the cost of any activity funded by this Act by 50% of what is was before enactment of this Act. Appropriates funds for FY2015-FY2022 to the Highway Trust Fund to improve roads, bridges, and other U.S. transportation infrastructure. Appropriates funds for FY2015-FY2019: (1) for intercity high-speed rail service, (2) to provide credit assistance for surface transportation projects of national and regional significance, (3) to implement airport improvement and noise compatibility projects at public-use airports, (4) to the Federal Aviation Administration to accelerate deployment of satellite technology to improve airport safety and capacity, and (5) for the TIGER Discretionary Grant Program. Appropriates funds for FY2015-FY2019 for water infrastructure, including to: (1) the Environmental Protection Agency for capitalization grants to states to establish water pollution control revolving funds and drinking water treatment revolving loan funds and for loans for large water infrastructure projects that are ineligible for funding from a state revolving loan fund; (2) the Federal Emergency Management Agency to carry out the predisaster hazard mitigation program for minor localized flood reduction projects and major flood risk reduction projects; and (3) the Army Corps of Engineers for inland waterways projects, coastal harbors and channels, inland harbors, and dams and levees. Appropriates funds for FY2015-FY2019 for the National Park Service. Appropriates funds for FY2015-FY2019 for the Broadband Initiatives Program, the Broadband Technology Opportunities Program, and the Department of Energy to modernize the electric grid. Establishes the National Infrastructure Development Bank as a wholly owned government corporation. Makes the Bank's Board of Directors responsible for monitoring and overseeing energy, environmental, telecommunications, data, or transportation infrastructure projects. Authorizes the Board to: make senior and subordinated loans and purchase senior and subordinated debt securities; issue and sell debt securities of the Bank; issue public benefit bonds and provide direct subsidies to infrastructure projects from the proceeds; make loan guarantees; borrow on the global capital market and lend to regional, state, and local entities, and commercial banks, to fund infrastructure projects; and

purchase, pool, and sell infrastructure-related loans and securities on the global capital market. Requires the Board to establish: (1) an Executive Committee, a Risk Management Committee, and an Audit Committee; and (2) criteria for determining eligibility for financial assistance from the Bank and disclosure and application procedures for entities to nominate projects for such assistance. Requires the Bank to conduct an analysis that considers the economic, environmental, and social benefits and costs of each project under consideration, prioritizing projects that contribute to economic growth, lead to job creation, and are of regional or national significance. Sets forth criteria to be considered by the Board in determining the eligibility of transportation, environmental, energy, and telecommunications infrastructure projects for assistance. Exempts all bonds issued by the Bank from state or local government taxation. Deems all debt securities and other obligations issued by the Bank to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission. Sets forth requirements regarding compliance of financed infrastructure projects with prevailing wage rate, domestic content, and buy American statutes. Authorizes appropriations for the capitalization of the Bank.

Status Update: no change since the last report.

#### **H.R.1308, Economy in Motion: The National Multimodal and Sustainable Freight Infrastructure Act**

Introduced on March 4 by Congressman Alan Lowenthal (D-CA-47) with 3 (now 15) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure and Ways and Means. The bill directs the Secretary of Transportation to: (1) establish a Multimodal Freight Funding Formula Program to distribute funds to states, and a National Freight Infrastructure Competitive Grant Program to make grants to entities for projects, to improve the efficiency and reliability of freight movement in the United States; (2) establish a multimodal national freight network to accomplish the goals of the national freight policy, including increasing the productivity and efficiency of the national freight system and improving its safety, security, and resilience; (3) develop, maintain, and post on the public website of the Department of Transportation a national freight strategic plan that includes an assessment of the condition and performance of the national freight system; and (4) develop and improve tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects. Amends the Moving Ahead for Progress in the 21st Century Act (or MAP-21) to: (1) expand the membership and duties of state freight advisory committees; and (2) require state freight plans to include strategies and goals to decrease greenhouse gas emissions, local air pollution, water runoff, and wildlife habitat loss. Amends the Internal Revenue Code to: (1) impose a 1% excise tax upon taxable ground transportation of property (i.e., transportation by freight rail or truck trailer and semitrailer chassis and bodies, suitable for use with a trailer or semitrailer with a gross vehicle weight of 26,000 pounds or more), and (2) deposit such tax revenues into a Freight Trust Fund (established by this Act) to finance the Multimodal Freight Program.

Status Update: no change since the last report.

#### **H.R.1330, American-Made Energy and Infrastructure Jobs Act**

Introduced on March 4 by Congressman Steve Stivers (R-OH-15) with one cosponsor. The bill was referred to the Committees on Natural Resources, Ways and Means, Energy and Commerce and Transportation and Infrastructure. Directs the Secretary to collect non-refundable fees from the operators of facilities subject to inspection under this Act. Establishes in the Treasury the Ocean Energy Enforcement Fund as depository for oil and gas leasing fees. Redefines the OCS to include all submerged lands lying within the U.S. exclusive economic zone and the Continental Shelf adjacent to any U.S. territory. Authorizes the Secretary of the Treasury, with the President's approval, to: (1) borrow for highway and transportation project expenditures and for water infrastructure expenditures, and (2) issue interest-bearing infrastructure revenue bonds for the amounts borrowed. Amends the Internal Revenue Code to appropriate to the Highway Trust Fund 95% of any proceeds from the issuance of such infrastructure revenue bonds. Makes available to the Administrator of the Environmental Protection Agency for making capitalization grants to eligible states: (1) 2.5% of infrastructure revenue bond proceeds for grants under the Federal Water Pollution Control Act, and (2) 2.5% of such proceeds for grants under Safe Drinking Water Act.

Status Update: no change since the last report.

**H.R.278, Transportation Investment Generating Economic Recovery for Cities Underfunded Because of Size Act of 2015 or TIGER CUBS Act**

Introduced on January 12 by Congressman Rick Larsen (D-WA-2) with one cosponsor. The bill was referred to the Committees on Appropriations and Budget. The bill provides \$500 million in supplemental FY2015 appropriations to the Department of Transportation for national infrastructure investments under a competitive grant program commonly known as the Transportation Investment Generating Economic Recovery (TIGER) program. At least \$100 million of the funds must be used for projects located in cities with populations between 10,000 and 50,000. The funding provided by this bill is designated as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. This funding is only available if the President designates the amounts as an emergency and submits the designation to Congress.

Status Update: no change since the last report.

**H.R.680, Update, Promote, and Develop America's Transportation Essentials Act of 2015**

Introduced on February 3 by Congressman Earl Blumenauer (D-OR-3) with 25 (now 37) cosponsors. The bill was referred to the House Committee on Ways and Means. The bill expresses the sense of Congress that by 2024 the gas tax should be repealed and replaced with a more sustainable, stable funding source. Amends the Internal Revenue Code, with respect to the excise tax on motor fuels, to increase the rate of tax on: (1) gasoline other than aviation gasoline to 26.3 cents per gallon in 2016, 30.3 cents per gallon in 2017, and 33.3 cents per gallon after 2017 and before 2028; (2) diesel fuel or kerosene to 32.3 cents per gallon in 2016, 36.3 cents per gallon in 2017, and 39.3 cents per gallon after 2017 and before 2027; and (3) diesel-water fuel emulsion. Delays the termination of such increased rates from the end of FY2016 to December 31, 2026. Requires an adjustment for inflation to such increased rates beginning after 2017.

Increases allocations in the Mass Transit Account of the Highway Trust Fund in 2016 and 2017 and after 2017. Imposes a floor stocks tax on rate increases for gasoline, diesel fuel, and kerosene (other than aviation-grade kerosene), subject to specified exemptions for exempt uses and low-volume producers.

Status Update: no change since the last report.

#### **S.762, Innovation in Surface Transportation Act of 2015**

Introduced on March 17 by Senator Roger Wicker (R-MS) with 3 cosponsors. The bill was referred to the Committee on Environment and Public Works. The bill directs the Secretary of Transportation, in coordination with state transportation departments, to establish an innovation in surface transportation program. Requires states to make competitive grants for innovative surface transportation projects to eligible entities, including local governments, metropolitan planning organizations, regional transportation authorities, transit agencies, tribal governments, private providers of public transportation, nonprofit transportation organizations, port authorities, joint power authorities, freight rail providers, and local rail authorities. Requires each state (including the governor and state department of transportation) to establish an innovation in surface transportation selection panel to formulate criteria for selecting projects. Requires a state to reserve certain percentages of federal funds apportioned for the national highway performance, the highway safety improvement, the congestion mitigation and air quality improvement, surface transportation, and transportation alternatives programs in order to fund related projects under state innovative surface transportation grants. Authorizes states to reserve a certain percentage of such funds for a fiscal year to meet specific requests for project application support from eligible rural local governments.

Status Update: no change since the last report.

#### **H.R.1620, 414 Plan Act of 2015**

Introduced on March 25 by Congressman Randy Forbes (R-VA-4) with no cosponsors. The bill was referred to the House Committee on Transportation and Infrastructure. Declares that federal laws and regulations (including prevailing rate of wage requirements under the Davis-Bacon Act) shall not apply to any federal-aid highway or highway safety construction project, except those relating to: (1) the safety or durability of a highway facility, or (2) public or workplace safety. Repeals the prohibition against approval of federal-aid highway projects or regulatory actions that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless the project or action provides for a reasonable alternative route or such a route exists. Defines "transportation alternatives" as any of the following activities when carried out as part of an authorized or funded federal-aid highway program or project, or as an independent program or project related to surface transportation for the construction, planning, and design of: (1) transportation projects to achieve compliance with the Americans with Disabilities Act of 1990; or (2) infrastructure-related projects and systems that will provide safe routes for nondrivers, including children, older adults, and individuals with disabilities to access daily needs. Repeals the authorization for states to use certain funds for construction of pedestrian walkways and

bicycle transportation facilities. Eliminates the requirement that statewide transportation plans and statewide transportation improvement programs provide for the development of accessible pedestrian walkways and bicycle transportation facilities. Expresses the sense of Congress that states, federal agencies, localities, and private stakeholders should take steps toward increased cooperation to further expedite surface transportation projects.

Status Update: no change since the last report.

### **H.R.3038, Highway and Transportation Funding Act of 2015, Part II**

Introduced on July 13 by Congressman Paul Ryan (R-WI-1) with one cosponsor. The bill passed the House and was placed on Senate Legislative Calendar. Directs the Secretary of Transportation to reduce the amount apportioned for a surface transportation program, project, or activity for FY2015 by amounts apportioned or allocated under the Highway and Transportation Funding Act of 2014 and the Highway and Transportation Funding Act of 2015 for the period from October 1, 2014, through July 31, 2015. TITLE I--SURFACE TRANSPORTATION PROGRAM EXTENSION Subtitle A--Federal-Aid Highways (Sec.1001) Amends the Highway and Transportation Funding Act of 2014 to continue from October 1, 2014, through December 18, 2015, and authorizes appropriations through that period for, specified federal-aid highway programs under: the Moving Ahead for Progress in the 21st Century Act (MAP-21) the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Technical Corrections Act of 2008, SAFETEA-LU, the Transportation Equity Act for the 21st Century (TEA-21), the National Highway System Designation Act of 1995, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and other specified law. Subjects funding for FY2015, and for the period October 1, 2015, through December 18, 2015, for such programs to certain funding level restrictions. Amends MAP-21 to authorize appropriations out of the general fund of the Treasury for the Tribal High Priority Projects program for the same period. Prescribes an obligation ceiling of \$40.256 billion for FY2015, including \$8,689,136,612 for the period October 1, 2015, through December 18, 2015, for federal-aid highway and highway safety construction programs. (Sec. 1002) Authorizes appropriations from the HTF (other than the Mass Transit Account) for administrative expenses of the federal-aid highway program for the same period. Subtitle B--Extension of Highway Safety Programs (Sec. 1101) Extends for the same period the authorization of appropriations for National Highway Traffic Safety Administration (NHTSA) safety programs, including: highway safety research and development, national priority safety programs, the National Driver Register, the High Visibility Enforcement Program, and NHTSA administrative expenses. Amends SAFETEA-LU to extend for the same period high-visibility traffic safety law enforcement campaigns under the High Visibility Enforcement Program. Sets aside a specified amount of the total apportionment to states for highway safety programs for a cooperative program to research and evaluate priority highway safety countermeasures for the same period. (Sec. 1102) Extends for the same period the authorization of appropriations for Federal Motor Carrier Safety Administration (FMCSA) programs, including: motor carrier safety grants, FMCSA administrative expenses, commercial driver's license program improvement grants, border enforcement grants, performance and registration information system management grants, commercial vehicle information systems and networks deployment grants, safety data improvement grants, a set-aside for high priority activities that improve commercial motor vehicle safety and compliance with commercial motor

vehicle safety regulations, a set-aside for new entrant motor carrier audit grants, FMCSA outreach and education, and the commercial motor vehicle operators grant program. (Sec. 1103) Amends the Dingell-Johnson Sport Fish Restoration Act to continue, for the same period, the authorized distribution of funds for coastal wetlands, recreational boating safety, projects under the Clean Vessel Act of 19921, boating infrastructure projects, and the National Outreach and Communications Program. Subtitle C--Public Transportation Programs (Sec. 1201) Extends for the same period the apportionment of nonurbanized (rural) area formula grants for competitive grants and formula grants for public transportation on Indian reservations. (Sec. 1202) Extends the apportionment of urbanized area formula grants for passenger ferry projects for the same period. (Sec. 1203) Extends for the same period the authorization of appropriations from the HTF Mass Transit Account for: formula grants for public transportation, including allocations for specified projects; research, development demonstration, and deployment projects; the transit cooperative research program; technical assistance and standards development grants; human resources and training grants; capital investment grants; and administrative expenses. (Sec. 1204) Allocates, for the same period, certain amounts to states and territories for formula bus and bus facilities grants. Subtitle D--Hazardous Materials (Sec. 1301) Authorizes appropriations for the same period for hazardous materials (hazmat) transportation safety projects. Authorizes the Secretary to make certain expenditures, including an amount for hazmat training grants, from the Hazardous Materials Emergency Preparedness Fund for the same period. TITLE II--REVENUE PROVISIONS (Sec. 2001) Amends the Internal Revenue Code to extend through December 19, 2015, the authority for expenditures from: (1) the Highway and Mass Transit Accounts of the Highway Trust Fund, (2) the Sport Fish Restoration and Boating Trust Fund, and (3) the Leaking Underground Storage Tank Trust Fund. (Sec. 2002) Appropriates additional funds to the Highway and Mass Transit Accounts of the Highway Trust Fund. (Sec. 2003) Requires tax information returns reporting mortgage interest received in a trade or business to include: (1) the outstanding principal on the mortgage, (2) the date of the origination of the mortgage, and (3) the address of the property which secures the mortgage. (Sec. 2004) Requires that: (1) the value of the basis in any property acquired from a decedent be consistent with the basis as determined for estate tax purposes; and (2) executors of estates disclose to the Internal Revenue Service and to persons acquiring any interest in the decedent's estate information identifying the value of each interest received. (Sec. 2005) Makes the six-year limitation on assessments of additional tax applicable to understatements of gross income due to an overstatement of unrecovered costs or other basis. (Sec. 2006) Changes tax return due dates for partnerships, S corporations, and C corporations. Extends the automatic extension for corporate income tax returns from three to six months. (Sec. 2007) Extends through 2025 the authority for transfers of excess pension assets of a defined benefit plan to a retiree health benefits account. (Sec. 2008) Equalizes excise tax rates for liquefied petroleum gas, liquefied natural gas, and compressed natural gas. TITLE III--ADDITIONAL PROVISIONS (Sec. 3001) Revises aviation security service passenger fee requirements. Requires the deposit into the Treasury as offsetting receipts the following sums collected to pay the costs of providing civil aviation security services to airline passengers: \$1.560 billion for FY2024, and \$1.6 billion for FY2025.

Status Update: no change since the last report.

**H.R.3064, To authorize highway infrastructure and safety, transit, motor carrier, rail, and**

**other surface transportation programs, and for other purposes.**

Introduced on July 6 by Congressman Chris Van Hollen (D-MD-8) with eight (now 9) cosponsors and referred to the Committees on Transportation and Infrastructure, Energy and Commerce, Ways and Means, Science, Space, and Technology, Natural Resources, Oversight and Government Reform, Budget, and Rules. Prescribes requirements for environmental reviews with respect to state and federal agency engagement, obstruction of navigation, historic sites, categorical exclusion of multimodal projects from environmental review, and creation in the Department of Transportation (DOT) of an Interagency Infrastructure Permitting Improvement Center. Directs DOT to establish a multimodal freight incentive grant program and a National Freight Infrastructure Program. Redesignates the Dwight D. Eisenhower System of Interstate and Defense Highways as the National Highway System and the National Freight Network. Requires the federal long-range transportation plan to include a transportation system resilience assessment. Prescribes criteria for high performing metropolitan planning organizations (MPOs) representing urbanized areas with populations of over 200,000. Removes the congestion management process from the transportation planning process for MPOs. Directs DOT to establish a pilot program for up to 10 MPOs to improve multimodal connectivity and increase connections for disadvantaged Americans and neighborhoods with limited transportation options. Revises requirements with respect to congestion mitigation and air quality improvement, including electric vehicle charging stations and commercial motor vehicle anti-idling facilities in rest areas along the Interstate System. Establishes in DOT: a discretionary TIGER Infrastructure Grant Program for various transportation projects; and a discretionary FAST Grant Program to reform the way surface transportation investments and decisions are made, implemented, and funded to achieve national transportation outcomes. Revises requirements for the funding of railroad rehabilitation and improvement financing, the state infrastructure bank program, toll roads, bridges, tunnels, and ferries. Establishes within DOT the position of Assistant Secretary for Innovative Finance. Reauthorizes the federal-aid highway and related programs through FY2021, including revised obligation limitation and apportionment requirements. Directs DOT to: establish a nationally significant federal lands and tribal projects program to fund construction, reconstruction, or rehabilitation of nationally significant federal lands and tribal transportation projects; carry out a broadband infrastructure deployment initiative; create a program to make critical and immediate improvements to infrastructure and highway safety; set-aside specified funds for states for highway safety data improvement activities on public roads; and create and maintain data sets and data analysis tools to assist MPOs, states, and the DOT in carrying out performance management analyses. *Federal Public Transportation Act of 2015* Revises fixed guideway capital investment grants requirements. Authorizes grants to state and local governments for very small starts projects. Revises requirements for formula grants for enhanced mobility and for rural areas, workforce development programs, and the public transportation safety program. Requires recipients of transportation assistance to meet certain standards for hiring locally. Reauthorizes specified public transportation assistance programs through FY2021. Authorizes DOT to make competitive grants to state and local governmental entities for bus rapid transit projects. Authorizes appropriations for specified highway safety programs through FY2021, and revises related requirements. Revises criteria for state graduated driver licensing incentive grants. Adds a 24-7 sobriety program to criteria for state repeat offender and open container laws. Authorizes specified amounts of grant funds to states for distracted driving enforcement. Authorizes appropriations for specified motor vehicle safety

programs through FY2021, and increases penalties for safety violations. Revises certain reporting requirements for tire manufacturers. Requires DOT to conduct a pilot grant program to evaluate the feasibility and effectiveness for a state process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration. Revises specified requirements for commercial motor vehicle and commercial driver safety. Requires disqualification to operate a commercial motor vehicle for anyone who fails to pay an assessed civil penalty for a motor vehicle safety violation. Revises certain medical and registration requirements for commercial motor vehicle operators. Revises requirements for the Motor Carrier Safety Assistance Program. Directs DOT to administer a High Priority Program, an innovative technology deployment grant program, and a Commercial Motor Vehicle Operators Grant Program. Authorizes DOT to establish: a motor carrier safety facility working capital fund, and a financial assistance program for commercial driver's license program implementation. Directs DOT to maintain for the Federal Motor Carrier Safety Administration a motor carrier safety advisory committee. Revises requirements for the Unified Carrier Registration System plan. Repeals the authorization for self-insurance by motor carriers. Prescribes notice requirements relating to decisions that electronic logging devices fail to comply with standards. Authorizes DOT to issue regulations: governing contractors that exercise control over motor carrier operations; and requiring motor vehicle employers to track and compensate employees for on-duty, not-driving time. Authorizes DOT, with respect to unsafe conditions or practices in the transportation of hazardous materials (hazmat transportation), to order necessary: operational controls, restrictions, and prohibitions without prior notice or an opportunity for a hearing; and removal, remediation, or disposal of hazardous materials causing unreasonable risk of death, personal injury, or significant harm to the property or the environment. Authorizes DOT to collect reasonable fees for the administration of the special permits and approvals for deposit into a Hazardous Materials Approvals and Permits Fund. Revises requirements for planning and training grants under the Emergency Planning and Community Right-To-Know Act of 1986. Reauthorizes the program for regulating hazmat transportation through FY2021. Amends the Internal Revenue Code to extend through FY2023 specified highway-related taxes as well as requirements for expenditures from the Sport Fish Restoration and Boating Trust Fund. Replaces the Highway Trust Fund with a Transportation Trust Fund, and authorizes appropriations to it through FY2021. Directs DOT to establish and support a National Cooperative Freight Transportation Research Program and a Priority Multimodal Research Program. Revises the competitive selection process for the university transportation centers consortia program. Requires the Director of the Bureau of Transportation Statistics (BTS) to create data sets and data analysis tools for intermodal transportation data. Establishes in the BTS a National Transportation Library. Authorizes the BTS Director to establish a Port Performance Statistics Program to provide nationally consistent measures of performance of the nation's maritime ports. Revises requirements for the intelligent transportation system (ITS) program. Includes as an ITS program goal the development and deployment of automated vehicles in all modes of surface transportation. Prescribes requirements for the use of funds to develop ITS infrastructure, equipment, and *systems*. *Rail for America Act* Directs DOT to facilitate by financial assistance the establishment of a National High-Performance Rail System of integrated passenger and freight rail services, including a Current Passenger Rail Service Program and a Rail Service Improvement Program. Authorizes appropriations through FY2021 for the System and for the planning, development, construction, and implementation of rail corridors and related infrastructure improvements. Requires Amtrak to submit to the Secretary draft 5-year business line plans and draft 5-year capital asset plans.



Authorizes DOT to establish Regional Rail Development Authorities, including a Regional Committee, to facilitate the development of multi-state high-performance rail services, and to coordinate these investments with other rail, transit, highway, and aviation system services. Prescribes requirements for the standardization of passenger equipment and level-entry boarding platforms. Directs DOT to: evaluate the shared-use of right-of-way by passenger and freight rail systems and the operational, institutional, and legal structures that would best support improvements to both of these systems; and conduct a nationwide disparity and availability study to establish the availability and utilization of small business concerns owned and controlled by socially and economically disadvantaged individuals in publicly funded railroad projects. Requires DOT to complete a National Rail Development Plan meeting certain criteria, and facilitate development of Regional Rail Development Plans. Authorizes DOT to prescribe regulations or issue orders to require host railroads for joint operations that occur within a small geographic area to develop unified rules governing all operations within that area. Revises or prescribes requirements relating to positive train control, hours of service, maximum employee duty hours, safety appliances, locomotive inspections, noise emission standards, and damaged track inspection equipment. Authorizes federal agency heads to construct, install, operate, and maintain electric charging infrastructure for official *agency vehicles*. *Stop Corporate Expatriation and Invest in America's Infrastructure Act of 2015* Amends the Internal Revenue Code to revise rules for the taxation of inverted corporations (i.e., U.S. corporations that acquire foreign companies to reincorporate in a foreign jurisdiction with income tax rates lower than the United States) to provide that a foreign corporation that acquires the properties of a U.S. corporation or partnership after May 8, 2014, shall be treated as an inverted corporation and thus subject to U.S. taxation if, after such acquisition: it holds more than 50% of the stock of the new entity (expanded affiliated group), or the management or control of the new entity occurs primarily within the United States and the new entity has significant domestic business activities.

Status Update: one cosponsor added since the last report.

**H.R.3104, To amend the Internal Revenue Code of 1986 to reduce carbon pollution in the United States, invest in the Nation's infrastructure, and cut taxes for working Americans.**

Introduced on July 16 by Congressman John B. Larson (D-CT-1) with no cosponsors and referred to the Committee on Ways and Means and Foreign Affairs.

Status Update: no change since the last report.

**S.1589, Building and Renewing Infrastructure for Development and Growth in Employment Act or the BRIDGE Act**

Introduced on June 16 by Senator Mark Warner (D-VA) with ten (now 11) cosponsors and referred to the Committee on Finance. Establishes the Infrastructure Financing Authority (IFA) as a wholly-owned government corporation, headed by a Chief Executive Officer and managed by a Board of Directors, which shall provide direct loans and loan guarantees to facilitate the construction, consolidation, alteration, or repair of transportation, water, and energy infrastructure projects. Requires infrastructure projects assisted under this Act to have costs reasonably anticipated to equal or exceed \$50 million (\$10 million for rural infrastructure

projects). Sets forth special requirements for infrastructure projects in rural areas. Establishes an Office of Technical and Rural Assistance to: provide technical assistance to state and local governments and parties in public-private partnerships in the development and financing of eligible, including rural, infrastructure projects; and establish a regional infrastructure accelerator demonstration program. Establishes an Office of Special Inspector General to conduct, supervise, and coordinate audits and investigations of the business activities of IFA. Prohibits IFA financing of a project if: it is private or does not create a public benefit, or the loan applicant is unable to demonstrate a sufficient revenue stream. Sets forth terms for loans or loan guarantees for eligible infrastructure projects and for the repayment of such loans. Requires an annual independent audit of IFA finances. Requires the President, immediately after IFA approves financing for a proposed project, to convene a meeting of representatives of all permitting agencies to: establish a permitting timetable for the environmental review of a project, and coordinate with relevant state agencies and regional infrastructure development agencies in the review of such projects. Requires the Chief Executive Officer of IFA to: establish fees with respect to loans and loan guarantees that are sufficient to cover IFA's administrative costs; and take actions to make IFA a self-sustaining entity, with administrative and federal credit subsidy costs fully funded by fees and risk premiums on loans and loan guarantees. Amends the Internal Revenue Code to increase from \$15 billion to \$16 billion the aggregate amount of proceeds from tax-exempt facility bonds the Department of Transportation shall allocate among qualified highway or surface freight transfer facilities.

Status Update: one cosponsor added since the last report.

#### **S.1701, Infrastructure Rehabilitation Act of 2015**

Introduced on June 25 by Senator Lisa Murkowski (R-AK) with no cosponsors. The bill was referred to the Committee on Environment and Public Works.

Status Update: no change since the last report.

#### **S.1748, A bill to provide for improved investment in national transportation infrastructure.**

Introduced on July 9 by Senator Patty Murray (D-WA) with four cosponsors and referred to the Committee on Commerce, Science, and Transportation.

Status Update: no change since the last report.

#### **S.1680, National Multimodal Freight Policy and Investment Act**

Introduced on June 25 by Senator Maria Cantwell with three cosponsors. The bill was referred to the Committee on Commerce, Science, and Transportation.

Status Update: no change since the last report.

#### **H.R.3337, National Infrastructure Development Bank Act of 2015**

Introduced on July 29 by Congresswoman Rosa DeLauro (D-CT-3) with seventy cosponsors. The bill was to the Committee on Energy and Commerce, Transportation and Infrastructure, Financial Services, and Ways and Means. Establishes the National Infrastructure Development Bank as a wholly owned government corporation. Makes the Bank's Board of Directors responsible for monitoring and overseeing energy, environmental, telecommunications, and transportation infrastructure projects. Authorizes the Board to: (1) make senior and subordinated direct loans and loan guarantees to assist in the financing or refinancing of an infrastructure project, (2) issue public benefit bonds and provide financing to infrastructure projects, and (3) pay an interest subsidy to the issuer of American Infrastructure Bonds. Requires the Board to establish an Executive Committee to establish requirements and make recommendations for project proposals to be considered for financial assistance. Requires the Bank to establish a Risk Management Committee, which shall: (1) create financial, credit, and operational risk management guidelines for the Bank; (2) set guidelines to ensure diversification of lending activities by geographic region and infrastructure project type; (3) create conforming standards for all financial assistance provided by the Bank; (4) monitor financial, credit, and operational exposure of the Bank; (5) provide financial recommendations to the Board; and (6) ensure that the aggregate amount of interest subsidies provided for American Infrastructure Bonds in a given calendar year does not exceed 28% of interest payable under all such Bonds. Requires the Bank to establish an audit committee. Requires the Board to approve criteria established by the Executive Committee for determining project eligibility for financial assistance. Sets forth criteria to be considered by the Board for each type of infrastructure project. Requires the Executive Committee to conduct an analysis that considers the economic, environmental, and social benefits and costs of each project under consideration, prioritizing projects that contribute to economic growth, lead to job creation, and are of regional or national significance. Requires any financial assistance for an infrastructure project to be repayable from dedicated revenue sources that also secure the infrastructure project obligations. Limits the amount of assistance under this Act to 50% of reasonably anticipated project costs. Exempts all bonds issued by the Bank from state or local government taxation. Sets forth requirements regarding compliance of assisted projects with wage rate, domestic content, and buy American statutes. Requires the Board to establish an American Infrastructure Bond program. Establishes in the Treasury the National Infrastructure Development Bank Trust Fund into which an amount estimated to equal the tax receipts attributable to interest payable under such Bonds is to be appropriated.

Status Update: no change since the last report.

**H.R.3376, To authorize States to carry out bridge construction, maintenance, repair, and replacement projects using previously allocated surface transportation funds that are identified as being excess or inactive, and for other purposes.**

Introduced on July 29 by Congresswoman Nita Lowey (D-NY-17) with no cosponsors. The bill was referred to the Transportation and Infrastructure Committee.

Status Update: no change since the last report.

**H.R.3398, To improve the condition and performance of the national multimodal freight**

**network, and for other purposes.**

Introduced on July 29 by Congressman David Reichert (R-WA-8) with two cosponsors. The bill was referred to the Committee on Transportation and Infrastructure.

Status Update: no change since the last report.

**S.1994, Tax Relief And FixTheTrustFund For Infrastructure Certainty Act of 2015**

Introduced on August 5 by Senator Thomas Carper (D-DE) with one cosponsor. The bill was referred to the Committee on Finance.

Status Update: bill added since the last report.

**S.2008, Transportation, Access, and Opportunity Act of 2015**

Introduced on August 6 by Senator Jeff Merkley (D-OR) with no cosponsors. The bill was referred to the Committee on Banking, Housing, and Urban Affairs.

Status Update: bill added since the last report.



## Federal Advocates Inc.

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September 28, 2015  
 To: Celia McAdam  
 From: Sante and Michael Esposito  
 Subject: September Monthly Report

### **MAP-21 Reauthorization**

Congress returned on September 8 following its five-week summer recess with a full agenda and with respect to certain issues, an urgent agenda. One such time sensitive issue is the passing of a multi-year surface transportation bill. Right before adjourning for the August recess, Congress passed another short-term extension of MAP-21, this one through October 29, 2015. The bill, H.R. 3236, reauthorizes the existing federal highway and transit programs for an additional three months. However, it includes enough new revenue - \$8B in transfers from the General Fund to the Highway Trust Fund (HTF) - to fund the programs through January and possibly February of next year, according to recent estimates by the U.S. Department of Transportation. The goal of the extension was to give the House enough time to draft and act on a companion bill to the Senate DRIVE Act, the multi-year surface transportation reauthorization bill that the Senate passed on July 30. The issue is now before the House of Representatives. The original plan was for the House Transportation and Infrastructure Committee (with jurisdiction over highways, highway safety, transit, and rail) to report its version of the bill on September 17 to be followed the next week by markup of the House Energy and Commerce Committee (with jurisdiction over motor vehicle safety issues) and then Floor consideration by the full House the end of September. That schedule was intended to provide enough time to conference with the Senate and still meet the current Oct. 29 expiration deadline. However, that all came to a grinding halt until the House Ways and Means Committee formulates a revenue proposal to fund a six-year bill. Best case for Ways and Means doing so is mid-October pushing everything back and making the Oct 29 deadline a near impossibility. The Senate ended up funding only the first three years of its six-year DRIVE Act bill because they could not come up with sufficient new revenue for a longer bill. The \$45.6B identified to pay for FY'16 to FY'19 comes from various, non-transportation related offsets, such as selling barrels of oil from the Strategic Petroleum Reserve, indexing custom fees, and extending TSA security fees beyond the year 2023. House leaders were very critical of the Senate "payfors" and some, such as House Ways & Means Committee Chairman Paul Ryan (R-WI), have indicated that they prefer to pass an international tax reform bill this fall that would raise new revenue for the HTF through repatriation of overseas corporate profits. However, even if successful, this would produce a one-time only, non-sustainable windfall for the Trust Fund. While there is significant support for an

international tax reform bill, including in the Senate where Senators Chuck Schumer (D-NY) and Rob Portman (R-OH) are leading the charge, there is also considerable skepticism about whether there is enough time to pass such a complex bill before the end of the year. There are also questions about whether potential new revenue from repatriation should be used to lower the overall corporate tax rate, or for other purposes, rather than to bail out the Trust Fund. Another option for paying for a robust, sustainable, multi-year bill is to increase the federal gas tax, especially since gas prices keep dropping, but that option is not popular in Congress. However, Senators Tom Carper (D-DE) and Dick Durbin (D-IL) recently introduced S. 1994, a bill to phase-in a gas tax increase - 4-cents a year for four years (2016 to 2019) - and index the tax. The bill would raise \$100B over 10 years.

### **President's Transportation Bill (MAP-21 Reauthorization)**

To review, on March 30, the Administration unveiled "The Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America Act," or GROW AMERICA Act, a \$478 billion, six year transportation reauthorization proposal that provides increased funding for the nation's highways, bridges, transit, and rail systems. The Administration's proposal is funded by supplementing current revenues from the Highway Trust Fund in combination with a 14 percent transition tax on up to \$2 trillion of untaxed foreign earnings that U.S. companies have accumulated overseas. This is intended to prevent Trust Fund insolvency for six years and increase investments to meet national economic goals. Highlights of the proposal are:

*\$317 billion for the highways.* The proposal increases highway funds by an average of about 29 percent above FY 2015 enacted levels.

*\$115 billion for transit.* The proposal increases average transit spending by 76 percent above FY 2015 enacted levels.

*Tools and resources for regional coordination and local decision-making.* The proposal includes policy reforms to incentivize improved regional coordination by Metropolitan Planning Organizations (MPOs).

*Tools for dangerous vehicle and tire defects.* The proposal gives NHTSA the authority to issue imminent hazard orders requiring vehicle manufacturers to immediately take action to alleviate harm in cases where there is an imminent risk of injury or death.

*\$18 billion for a multi-modal freight program.* The proposal provides \$18 billion over six years to establish a new multimodal freight grant program.

*\$28.6 billion for rail investments.* The proposal includes \$28.6 billion over six years for high performance and passenger rail programs.

*Competitive funding to spur innovation.* The proposal provides \$7.5 billion over six years for the TIGER competitive grant program and \$6 billion for a new competitive grant program called Fixing and Accelerating Surface Transportation (or "FAST").

*Project delivery and the Federal permitting and regulatory review process. The proposal builds on recent efforts to expedite project approval timelines.*

*Cost effective investments. The proposal provides performance incentives to maintain safety and conditions of good repair and expand research and technology activities.*

*\$6 billion to attract private investment in transportation infrastructure. The proposal provides \$6 billion in TIFIA funding over six years*

### **Continuing Resolution**

The Senate is expected to vote tonight (Monday) to prevent a government shutdown. Last Thursday, the Senate voted down a funding measure that included language to de-fund Planned Parenthood, after which Majority Leader McConnell filed a new version of the funding bill through December 11 without that provision. The House would have 48 hours after the Senate acts to pass a clean Continuing Resolution and get it to the President to stop a shutdown. House Republican leaders are on track to vote first on a bill de-funding Planned Parenthood, which will stall once it passes the House. That will be followed, it is expected, by a vote on a clean Continuing Resolution. CRs, which typically fund programs at the current funding levels (that could actually be good news for some programs that are proposed to be cut in FY16) are triggered when one, some or all of the annual appropriations bills are not enacted by October 1. To date, the House has passed a number of the annual federal agency appropriations bills. The Senate has not yet passed any of its bills because the Senate Democratic leadership is threatening to filibuster floor debate on any bill funded under sequestration. Funding levels cannot be increased unless Congress can identify additional revenue - which is easier said than done.

Many in Congress are calling for a bipartisan budget deal, similar to the one in 2013, which would allow an increase in the discretionary spending caps and eliminate the need for sequestration.

### **FY16 House Transportation Appropriations Bill**

On June 9, the House passed H.R. 2577, its version of the FY16 Transportation Appropriations bill. In a letter from OMB to the House Appropriations Committee Chairman serious concerns were raised about locking in FY16 sequestration funding levels for DOT programs. OMB opposes the proposed House cuts in funding for TIGER, FTA Capital Investment Grants, and FAA's Facilities & Equipment program. The letter does not mention the cuts to Amtrak. The letter also opposes a number of policy riders including strongly objecting to the House language that would prohibit the Surface Transportation Board (STB) from taking any action to approve subsequent phases of the California High-Speed Rail project. The letter does not mention whether OMB would recommend that the President veto the bill. Highlights of the House bill are as follows:

**Highways** – The bill provides over \$40.25 billion from the Highway Trust Fund to be spent on the Federal-aid Highways Program. This is equal to the fiscal year 2015 level. This funding is contingent on the enactment of new transportation authorization legislation, as the current

authorization expires this year.

**Air** – Included in the legislation is \$15.9 billion in total budgetary resources for the Federal Aviation Administration (FAA) – \$159 million above the fiscal year 2015 enacted level and \$40 million above the request. This will provide full funding for all air traffic control personnel, including 14,500 air traffic controllers, 7,400 safety inspectors, and operational support personnel. The bill also funds FAA’s Next Generation Air Transportation Systems (NextGen) at \$931 million, and funds Contract Towers at \$154 million. These investments will help ease future congestion and help reduce delays for travelers in U.S. airspace. In addition, the bill rejects the Administration’s proposals for new passenger facility and general aviation fees.

**Rail** – The Federal Railroad Administration is funded at \$1.4 billion, a reduction of \$262 million below the fiscal year 2015 enacted level. This includes \$289 million for Amtrak operations – continuing service for all current routes – and \$850 million for capital grants. The bill also continues reforms to ensure the best use of tax dollars, such as requiring overtime limits for Amtrak employees to reduce unnecessary costs, and prohibiting federal funding for routes where Amtrak offers a discount of 50% or more off normal, peak fares. No funding is provided for High-Speed Rail. In addition, rail safety and research programs are funded at \$226 million, equal to the fiscal year 2015 enacted level. This will fund inspectors and training to help ensure the safety of passengers and local communities. The bill also allows \$6.5 million in funding for a highway rail-grade crossing safety initiative.

**Transit** – The bill provides \$10.7 billion for the Federal Transit Administration (FTA) – \$161 million below the fiscal year 2015 enacted level. Transit formula grants total \$8.6 billion, which is consistent with the MAP-21 authorization legislation, to help local communities build, maintain, and ensure the safety of their mass transit systems. This funding is contingent on the enactment of new transportation authorization legislation, as the current authorization expires this year. Within this amount, the legislation provides a total of \$1.9 billion for Capital Investment Grants (“New Starts”), full funding for all current “Full Funding Grant Agreement” (FFGA) transit projects, and an additional \$250 million for projects that will enter a FFGA by the end of fiscal year 2016. Also included is \$40 million for core capacity projects, and full funding for all state and local “Small Starts” projects that will begin in fiscal year 2016. These programs provide competitive grant funding for major transit capital investments – including rapid rail, light rail, bus rapid transit, and commuter rail – that are planned and operated by local communities.

**Maritime** – The legislation includes \$361 million for the Maritime Administration, \$19.8 million above the fiscal year 2015 enacted level, to increase the productivity, efficiency and safety of the nation’s ports and intermodal water and land transportation. The Maritime Security Program is funded at the fully authorized level of \$186 million.

**Safety** – The legislation contains funding for the various transportation safety programs and agencies within the Department of Transportation. This includes \$837 million in total budgetary resources for the National Highway Traffic Safety Administration (NHTSA) – an increase of \$6.5 million over the fiscal year 2015 enacted level – and \$572 million for the Federal Motor Carrier Safety Administration. Also included is \$227 million for the Pipeline and Hazardous



Materials Safety Administration, an increase of \$6.9 million over the fiscal year 2015 enacted level, to help address safety concerns including the transport of energy products.

Grants – The legislation funds National Infrastructure Investment grants (also known as TIGER grants) at \$100 million, \$400 million below the fiscal year 2015 enacted level and \$1.15 billion below the request.

### **FY16 Senate Transportation Appropriations Bill**

On June 25, the Senate Appropriations Committee reported its version of the FY16 Transportation Appropriations Bill. The bill includes \$17.78 billion in FY2016 discretionary appropriations for the Department of Transportation, \$17 million below the FY2015 enacted level and \$3.9 billion below the President's request (disregarding the administration request to shift certain programs from discretionary to mandatory spending).

TIGER Grants – \$500 million, equal to the FY2015 enacted level, for TIGER grants.

Highway Trust Fund – \$40.26 billion, equal to the FY2015 enacted level, from the Highway Trust Fund to be spent on the Federal-aid Highways Program, contingent on the enactment of new transportation authorization legislation. The bill also frees up to \$2.4 billion in old, unused earmarks for infrastructure projects that can be spent on other important transportation projects.

Federal Aviation Administration (FAA) – \$16 billion in total budgetary resources for the FAA, \$294 million above the FY2015 enacted level and \$175 million above the request. This will provide full funding for all air traffic control personnel, including 14,500 air traffic controllers, and more than 25,000 engineers, maintenance technicians, safety inspectors, and operational support personnel. The bill also makes investments in the FAA Next Generation Air Transportation Systems (NextGen) and the Contract Towers program to help ease future congestion and to help reduce delays for travelers in U.S. airspace. In addition, the bill rejects the administration's proposals for new passenger facility charge fees and transfer authority.

Federal Railroad Administration – \$1.68 billion, an increase of \$53 million above the FY2015 enacted level. This includes \$289 million for Amtrak operations and continued service for all current routes, and \$1.1 billion for capital grants. The bill also provides an additional \$17 million for the Northeast Corridor and promotes necessary reforms to Amtrak.

Rail Safety and Research Programs – \$288 million, \$12 million above the FY2015 enacted level for rail safety and research programs, including inspectors and training to help ensure the safety of passengers and local communities. The bill also allows \$50 million for rail safety grants, to support implementation of Positive Train Control (PTC), enhance passenger rail safety, and reduce highway-rail grade crossings incidents.

Federal Transit Administration (FTA) – \$10.5 billion, \$424 million below the FY2015 enacted level, for the FTA. Transit formula grants total \$8.6 billion, which is contingent on the enactment of new transportation authorization legislation, as the current authorization expires this year. This funding level is consistent with the MAP-21 authorization legislation. The bill

provides a total of \$1.6 billion for Capital Investment Grants (“New Starts”), fully funding all current “Full Funding Grant Agreement” (FFGA) transit projects as well as new projects. Also \$75 million is provided for core capacity projects and \$30 million for Small Starts projects-- competitive grant funding for major transit capital investments – including rapid rail, light rail, bus rapid transit, and commuter rail – that are planned and operated by local communities.

Maritime Administration – \$373 million, \$32 million above the FY2015 enacted level, for the Maritime Administration to increase the productivity, efficiency and safety of the nation’s ports and intermodal water and land transportation. The Maritime Security Program is funded at the authorized level of \$186 million. The bill includes \$33 million for State Maritime Academies, including \$5 million to develop a replacement vessel for the six SMA training ships. These training ships are essential to continuing a strong merchant marine workforce.

National Highway Traffic Safety Administration – \$825 million in total budgetary resources for the National Highway Traffic Safety Administration, including an increase in funding for the Office of Defects Investigation to address concerns with vehicle recalls.

Federal Motor Carrier Safety Administration – \$572 million for the Federal Motor Carrier Safety Administration. The report includes several key safety provisions, including a requirement that the Department complete its final rule on Electronic Logging Devices and its proposed rule on Speed Limiters.

Pipeline and Hazardous Materials Safety Administration – \$246 million for the Pipeline and Hazardous Materials Safety Administration to address safety concerns related to recent pipeline and crude oil by rail accidents. The bill includes language that will help develop web-based curriculum for local emergency responders.

## **Bill Tracking**

### **H.R.2716, Transportation Empowerment Act**

Introduced on June 10 by Congressman Ron DeSantis (R-FL-6) with 9 (now 36) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure, Ways and Means, Budget and Rules.

Status Update: two cosponsors added since the last report.

### **S.1544, A bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes.**

Introduced on June 10 by Senator Jeff Flake (R-AZ) with no (now 2) cosponsors. The bill was referred to the Committee on Appropriations. This bill rescinds unused earmarks previously appropriated to the Department of Transportation (DOT) and transfers the balances to the Highway Trust Fund. Under the House and Senate rules, an earmark is a provision or report language included primarily at the request of a Member of Congress providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other

spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific state, locality or congressional district, other than through a statutory or administrative formula-driven or competitive award process. Under this bill, earmarks provided to DOT are unused and rescinded if more than 90% of the funding remains available for obligation at the end of the 9th fiscal year following the year the earmark was made available. DOT may delay the rescission if it determines that an additional obligation is likely to occur during the 10th year after funds were made available. The bill requires each federal agency to submit an annual report to the Office of Management and Budget (OMB) identifying: (1) each earmark for a project that is ineligible for funding, (2) projects for which funding has been made available under an earmark, and (3) projects with unobligated balances. OMB must submit to Congress and post on its website an annual report including an accounting of unobligated earmarks, rescissions resulting from this bill, and DOT earmarks scheduled to be rescinded

Status Update: no change since the last report.

### **S.1732, Comprehensive Transportation and Consumer Protection Act of 2015**

Introduced on July 9 by Senator John Thune (R-SD) with two cosponsors. The bill was referred to the Committee on Commerce, Science, and Transportation and was ordered reported.

Status Update: no change since the last report.

### **H.R.2353, Highway and Transportation Funding Act of 2015**

Introduced on May 15 by Congressman Bill Shuster (R-PA-9) with one cosponsor. Directs the Secretary of Transportation to reduce the amount apportioned for a surface transportation program, project, or activity for FY2015 by amounts apportioned or allocated under the Highway and Transportation Funding Act of 2014 for the period from October 1, 2014, through May 31, 2015. Amends the Highway and Transportation Funding Act of 2014 to continue from October 1, 2014, through July 31, 2015, and authorizes appropriations through that period for, specified federal-aid highway programs under: the Moving Ahead for Progress in the 21st Century Act (MAP-21), the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Technical Corrections Act of 2008, SAFETEA-LU, the Transportation Equity Act for the 21st Century (TEA-21), the National Highway System Designation Act of 1995, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and other specified law. Subjects funding for such programs generally to the same manner of distribution, administration, limitation, and availability for obligation, but at a specified pro rata of the total amount, as funds authorized for appropriation out of the Highway Trust Fund (HTF) for such programs and activities for FY2014. Amends the Moving Ahead for Progress in the 21st Century Act (MAP-21) to authorize appropriations out of the general fund of the Treasury for the Tribal High Priority Projects program for the same period. Prescribes an obligation ceiling of \$33,528,284,932 for federal-aid highway and highway safety construction programs for the same period. Authorizes appropriations from the HTF (other than the Mass Transit Account) for administrative expenses of the federal-aid highway program for the same period. Extends for the same period the authorization of appropriations for National Highway Traffic Safety

Administration (NHTSA) safety programs, including: highway safety research and development, national priority safety programs, the National Driver Register, the High Visibility Enforcement Program, and NHTSA administrative expenses. Amends SAFETEA-LU to extend for the same period high-visibility traffic safety law enforcement campaigns under the High Visibility Enforcement Program. Sets aside a specified amount of the total apportionment to states for highway safety programs for a cooperative program to research and evaluate priority highway safety countermeasures for the same period. Extends for the same period the authorization of appropriations for Federal Motor Carrier Safety Administration (FMCSA) programs, including: motor carrier safety grants, FMCSA administrative expenses, commercial driver's license program improvement grants, border enforcement grants, performance and registration information system management grants, commercial vehicle information systems and networks deployment grants, safety data improvement grants, a set-aside for high priority activities that improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations, a set-aside for new entrant motor carrier audit grants, FMCSA outreach and education, and the commercial motor vehicle operators grant program. Amends the Dingell-Johnson Sport Fish Restoration Act to continue, for the same period, the authorized distribution of funds for coastal wetlands, recreational boating safety, projects under the Clean Vessel Act of 19921, boating infrastructure projects, and the National Outreach and Communications Program. Extends for the same period the apportionment of nonurbanized (rural) area formula grants for competitive grants and formula grants for public transportation on Indian reservations. Extends the apportionment of urbanized area formula grants for passenger ferry projects for the same period. Extends for the same period the authorization of appropriations from the HTF Mass Transit Account for: formula grants for public transportation, including allocations for specified projects; research, development demonstration, and deployment projects; the transit cooperative research program; technical assistance and standards development grants; human resources and training grants; capital investment grants; and administrative expenses. Allocates, for the same period, certain amounts to states and territories for formula bus and bus facilities grants. Authorizes appropriations for the same period for hazardous materials (hazmat) transportation safety projects. Authorizes the Secretary to make certain expenditures, including an amount for hazmat training grants, from the Hazardous Materials Emergency Preparedness Fund for the same period. Amends the Internal Revenue Code to extend through July 31, 2015, the authority for expenditures from: (1) the HTF Highway and Mass Transit Accounts, (2) the Sport Fish Restoration and Boating Trust Fund, and (3) the Leaking Underground Storage Tank Trust Fund. Bill became law (PL 114-21).

Status Update: no change since the last report.

**H.R.2410, To authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes.**

Introduced on May 19 by Congressman Peter DeFazio (D-OR-4) with 23 (now 60) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure, Energy and Commerce, Ways and Means, Science, Space, and Technology, Natural Resources, Oversight and Government Reform, the Budget, and Rules. Prescribes requirements for environmental reviews with respect to state and federal agency engagement, obstruction of navigation, historic sites, categorical exclusion of multimodal projects from environmental review, and creation in

the Department of Transportation (DOT) of an Interagency Infrastructure Permitting Improvement Center. Directs DOT to establish a multimodal freight incentive grant program and a National Freight Infrastructure Program. Redesignates the Dwight D. Eisenhower System of Interstate and Defense Highways as the National Highway System and the National Freight Network. Requires the federal long-range transportation plan to include a transportation system resilience assessment. Prescribes criteria for high performing metropolitan planning organizations (MPOs) representing urbanized areas with populations of over 200,000. Removes the congestion management process from the transportation planning process for MPOs. Directs DOT to establish a pilot program for up to 10 MPOs to improve multimodal connectivity and increase connections for disadvantaged Americans and neighborhoods with limited transportation options. Revises requirements with respect to congestion mitigation and air quality improvement, including electric vehicle charging stations and commercial motor vehicle anti-idling facilities in rest areas along the Interstate System. Establishes in DOT: a discretionary TIGER Infrastructure Grant Program for various transportation projects; and a discretionary FAST Grant Program to reform the way surface transportation investments and decisions are made, implemented, and funded to achieve national transportation outcomes. Revises requirements for the funding of railroad rehabilitation and improvement financing, the state infrastructure bank program, toll roads, bridges, tunnels, and ferries. Establishes within DOT the position of Assistant Secretary for Innovative Finance. Reauthorizes the federal-aid highway and related programs through FY2021, including revised obligation limitation and apportionment requirements. Directs DOT to: establish a nationally significant federal lands and tribal projects program to fund construction, reconstruction, or rehabilitation of nationally significant federal lands and tribal transportation projects; carry out a broadband infrastructure deployment initiative; create a program to make critical and immediate improvements to infrastructure and highway safety; set-aside specified funds for states for highway safety data improvement activities on public roads; and create and maintain data sets and data analysis tools to assist MPOs, states, and the DOT in carrying out performance management analyses. Federal *Public Transportation Act of 2015* Revises fixed guideway capital investment grants requirements. Authorizes grants to state and local governments for very small starts projects. Revises requirements for formula grants for enhanced mobility and for rural areas, workforce development programs, and the public transportation safety program. Requires recipients of transportation assistance to meet certain standards for hiring locally. Reauthorizes specified public transportation assistance programs through FY2021. Authorizes DOT to make competitive grants to state and local governmental entities for bus rapid transit projects. Authorizes appropriations for specified highway safety programs through FY2021, and revises related requirements. Revises criteria for state graduated driver licensing incentive grants. Adds a 24-7 sobriety program to criteria for state repeat offender and open container laws. Authorizes specified amounts of grant funds to states for distracted driving enforcement. Authorizes appropriations for specified motor vehicle safety programs through FY2021, and increases penalties for safety violations. Revises certain reporting requirements for tire manufacturers. Requires DOT to conduct a pilot grant program to evaluate the feasibility and effectiveness for a state process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration. Revises specified requirements for commercial motor vehicle and commercial driver safety. Requires disqualification to operate a commercial motor vehicle for anyone who fails to pay an assessed civil penalty for a motor vehicle safety violation. Revises certain medical and registration requirements for commercial motor vehicle operators. Revises requirements for the

Motor Carrier Safety Assistance Program. Directs DOT to administer a High Priority Program, an innovative technology deployment grant program, and a Commercial Motor Vehicle Operators Grant Program. Authorizes DOT to establish: a motor carrier safety facility working capital fund, and a financial assistance program for commercial driver's license program implementation. Directs DOT to maintain for the Federal Motor Carrier Safety Administration a motor carrier safety advisory committee. Revises requirements for the Unified Carrier Registration System plan. Repeals the authorization for self-insurance by motor carriers. Prescribes notice requirements relating to decisions that electronic logging devices fail to comply with standards. Authorizes DOT to issue regulations: governing contractors that exercise control over motor carrier operations; and requiring motor vehicle employers to track and compensate employees for on-duty, not-driving time. Authorizes DOT, with respect to unsafe conditions or practices in the transportation of hazardous materials (hazmat transportation), to order necessary: operational controls, restrictions, and prohibitions without prior notice or an opportunity for a hearing; and removal, remediation, or disposal of hazardous materials causing unreasonable risk of death, personal injury, or significant harm to the property or the environment. Authorizes DOT to collect reasonable fees for the administration of the special permits and approvals for deposit into a Hazardous Materials Approvals and Permits Fund. Revises requirements for planning and training grants under the Emergency Planning and Community Right-To-Know Act of 1986. Reauthorizes the program for regulating hazmat transportation through FY2021. Amends the Internal Revenue Code to extend through FY2023 specified highway-related taxes as well as requirements for expenditures from the Sport Fish Restoration and Boating Trust Fund. Replaces the Highway Trust Fund with a Transportation Trust Fund, and authorizes appropriations to it through FY2021. Directs DOT to establish and support a National Cooperative Freight Transportation Research Program and a Priority Multimodal Research Program. Revises the competitive selection process for the university transportation centers consortia program. Requires the Director of the Bureau of Transportation Statistics (BTS) to create data sets and data analysis tools for intermodal transportation data. Establishes in the BTS a National Transportation Library. Authorizes the BTS Director to establish a Port Performance Statistics Program to provide nationally consistent measures of performance of the nation's maritime ports. Revises requirements for the intelligent transportation system (ITS) program. Includes as an ITS program goal the development and deployment of automated vehicles in all modes of surface transportation. Prescribes requirements for the use of funds to develop ITS infrastructure, equipment, and *systems*. *Rail for America Act* Directs DOT to facilitate by financial assistance the establishment of a National High-Performance Rail System of integrated passenger and freight rail services, including a Current Passenger Rail Service Program and a Rail Service Improvement Program. Authorizes appropriations through FY2021 for the System and for the planning, development, construction, and implementation of rail corridors and related infrastructure improvements. Requires Amtrak to submit to the Secretary draft 5-year business line plans and draft 5-year capital asset plans. Authorizes DOT to establish Regional Rail Development Authorities, including a Regional Committee, to facilitate the development of multi-state high-performance rail services, and to coordinate these investments with other rail, transit, highway, and aviation system services. Prescribes requirements for the standardization of passenger equipment and level-entry boarding platforms. Directs DOT to: evaluate the shared-use of right-of-way by passenger and freight rail systems and the operational, institutional, and legal structures that would best support improvements to both of these systems; and conduct a nationwide disparity and availability study to establish the availability and utilization of small

business concerns owned and controlled by socially and economically disadvantaged individuals in publicly funded railroad projects. Requires DOT to complete a National Rail Development Plan meeting certain criteria, and facilitate development of Regional Rail Development Plans. Authorizes DOT to prescribe regulations or issue orders to require host railroads for joint operations that occur within a small geographic area to develop unified rules governing all operations within that area. Revises or prescribes requirements relating to positive train control, hours of service, maximum employee duty hours, safety appliances, locomotive inspections, noise emission standards, and damaged track inspection equipment. Authorizes federal agency heads to construct, install, operate, and maintain electric charging infrastructure for official agency vehicles.

Status Update: no change since the last report.

### **S.206, Local Transportation Infrastructure Act**

Introduced on January 21 by Senator Kelly Ayotte (D-NH) with no cosponsors. The bill was referred to the Committee on Commerce, Science and Transportation. The bill revises and reauthorizes the state infrastructure bank program for FY2015 and FY2016.

Status Update: no change since the last report.

### **H.R.652, State Transportation and Infrastructure Financing Innovation Act (STIFIA)**

Introduced on February 3 by Congressman Richard Hanna (R-NY-22) with 3 cosponsors. The bill was referred to the Subcommittee on Highways and Transit of the Transportation and Infrastructure Committee. The bill revises and reauthorizes the state infrastructure bank program for FY2016-FY2020.

Status Update: no change since the last report.

### **H.R.413, Partnership to Build America Act of 2015**

Introduced on January 21 by Congressman John Delaney (D-MD-6) with 34 (now 41) cosponsors. The bill was referred to the Committees on Ways and Means and Transportation and Infrastructure. The bill establishes the American Infrastructure Fund (AIF) as a wholly-owned government corporation to provide bond guarantees and make loans to state and local governments, non-profit infrastructure providers, private parties, and public-private partnerships for state or local government sponsored transportation, energy, water, communications, or educational facility infrastructure projects (Qualified Infrastructure Projects [QIPs]). Authorizes AIF also to make equity investments in QIPs. Directs the Secretary of the Treasury, acting through the AIF, to issue American Infrastructure Bonds with an aggregate face value of \$50 billion. Requires proceeds from the sale of the bonds to be deposited into the AIF. Amends the Internal Revenue Code to allow U.S. corporations to exclude from gross income qualified cash dividend amounts received during a taxable year from a foreign-controlled corporation equal to the face value of qualified infrastructure bonds the corporation has purchased. Prohibits allowance of a foreign tax credit to the excluded portion of any dividend received by a U.S.

corporation. Prohibits also the allowance of a deduction for expenses related to that excludable portion.

Status Update: no change since the last report.

### **H.R.625, Infrastructure 2.0 Act**

Introduced on January 30 by Congressman John Delaney (D-MD-6) with 4 (now 23) cosponsors. The bill was referred to the Committees on Rules, Ways and Means and Transportation and Infrastructure. Amends the Internal Revenue Code, with respect to the taxation of earnings and profits of a deferred foreign income corporation, to: (1) make such earnings and profit subject to taxation in the last taxable year that ends before the enactment of this Act; (2) reduce the rate of tax on such earnings and profits by allowing an exemption of 75% (equal to a tax of 8.75% of repatriated earnings and profits); and (3) allow such corporations to elect to pay such tax in eight installments. Establishes the American Infrastructure Fund to provide assistance to states, local governments, and other public and private entities for investment in public infrastructure projects. Appropriates tax revenues from this Act to the Highway Trust Fund. Establishes the Highway Trust Fund Solvency Commission to submit recommendations and proposed legislation for achieving long-term solvency of the Highway Trust Fund. Sets forth congressional procedures for the expedited consideration of a bill containing such legislation. Directs the Secretary of Transportation to establish a regional infrastructure accelerator pilot program to assist public entities in developing infrastructure projects. Establishes a deadline of 18 months after the enactment of this Act for the enactment of legislation that reforms the international tax system by eliminating the incentive to hold earnings in low-tax jurisdictions. Imposes a tax on repatriated offshore corporate earnings upon the expiration of the deadline. Sets forth provisions for the reform of the international tax system (to be effective if reform legislation is not enacted by the 18-month deadline established by this Act), including provisions relating to subpart F income and insurance income, gains and losses from the sale or exchange of stock in controlled foreign corporations, limitations on the foreign tax credit, and the tax treatment of previously deferred foreign income.

Status Update: no change since the last report.

### **H.R.211, REBUILD Act**

Introduced on January 8 by Congressman Ken Calvert (R-CA-42) with no cosponsors. The bill was referred to the House Committee on Natural Resources. This bill amends the National Environmental Policy Act of 1969 (NEPA) to authorize: (1) the assignment to states of federal environmental review responsibilities under NEPA and other relevant federal environmental laws for covered federal projects, and (2) states to assume all or part of those responsibilities. Each responsible federal official who is authorized to assign such responsibility must promulgate regulations that establish requirements relating to information required to be contained in state applications to assume those responsibilities. An official may approve an application only if: (1) public notice requirements have been met, (2) the state has the capability to assume the responsibilities, and (3) the head of the state agency having primary jurisdiction over covered projects enters into a written agreement with an official to assume the responsibilities and to



maintain the financial resources necessary to carry them out. The officials must audit state compliance with federal laws for which responsibilities are assumed. The officials may terminate the responsibilities assigned to states after providing notice to states of any noncompliance and an opportunity to take corrective action.

Status Update: no change since the last report.

### **S.268, Rebuild America Act of 2015**

Introduced on January 27 by Senator Bernard Sanders (I-VT) with one cosponsor. The bill was referred to the Committee on Banking, Housing, and Urban Affairs. Reduces the non-federal share of the cost of any activity funded by this Act by 50% of what is was before enactment of this Act. Appropriates funds for FY2015-FY2022 to the Highway Trust Fund to improve roads, bridges, and other U.S. transportation infrastructure. Appropriates funds for FY2015-FY2019: (1) for intercity high-speed rail service, (2) to provide credit assistance for surface transportation projects of national and regional significance, (3) to implement airport improvement and noise compatibility projects at public-use airports, (4) to the Federal Aviation Administration to accelerate deployment of satellite technology to improve airport safety and capacity, and (5) for the TIGER Discretionary Grant Program. Appropriates funds for FY2015-FY2019 for water infrastructure, including to: (1) the Environmental Protection Agency for capitalization grants to states to establish water pollution control revolving funds and drinking water treatment revolving loan funds and for loans for large water infrastructure projects that are ineligible for funding from a state revolving loan fund; (2) the Federal Emergency Management Agency to carry out the predisaster hazard mitigation program for minor localized flood reduction projects and major flood risk reduction projects; and (3) the Army Corps of Engineers for inland waterways projects, coastal harbors and channels, inland harbors, and dams and levees. Appropriates funds for FY2015-FY2019 for the National Park Service. Appropriates funds for FY2015-FY2019 for the Broadband Initiatives Program, the Broadband Technology Opportunities Program, and the Department of Energy to modernize the electric grid. Establishes the National Infrastructure Development Bank as a wholly owned government corporation. Makes the Bank's Board of Directors responsible for monitoring and overseeing energy, environmental, telecommunications, data, or transportation infrastructure projects. Authorizes the Board to: make senior and subordinated loans and purchase senior and subordinated debt securities; issue and sell debt securities of the Bank; issue public benefit bonds and provide direct subsidies to infrastructure projects from the proceeds; make loan guarantees; borrow on the global capital market and lend to regional, state, and local entities, and commercial banks, to fund infrastructure projects; and purchase, pool, and sell infrastructure-related loans and securities on the global capital market. Requires the Board to establish: (1) an Executive Committee, a Risk Management Committee, and an Audit Committee; and (2) criteria for determining eligibility for financial assistance from the Bank and disclosure and application procedures for entities to nominate projects for such assistance. Requires the Bank to conduct an analysis that considers the economic, environmental, and social benefits and costs of each project under consideration, prioritizing projects that contribute to economic growth, lead to job creation, and are of regional or national significance. Sets forth criteria to be considered by the Board in determining the eligibility of transportation, environmental, energy, and telecommunications infrastructure projects for assistance. Exempts

all bonds issued by the Bank from state or local government taxation. Deems all debt securities and other obligations issued by the Bank to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission. Sets forth requirements regarding compliance of financed infrastructure projects with prevailing wage rate, domestic content, and buy American statutes. Authorizes appropriations for the capitalization of the Bank.

Status Update: no change since the last report.

### **H.R.1308, Economy in Motion: The National Multimodal and Sustainable Freight Infrastructure Act**

Introduced on March 4 by Congressman Alan Lowenthal (D-CA-47) with 3 (now 15) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure and Ways and Means. The bill directs the Secretary of Transportation to: (1) establish a Multimodal Freight Funding Formula Program to distribute funds to states, and a National Freight Infrastructure Competitive Grant Program to make grants to entities for projects, to improve the efficiency and reliability of freight movement in the United States; (2) establish a multimodal national freight network to accomplish the goals of the national freight policy, including increasing the productivity and efficiency of the national freight system and improving its safety, security, and resilience; (3) develop, maintain, and post on the public website of the Department of Transportation a national freight strategic plan that includes an assessment of the condition and performance of the national freight system; and (4) develop and improve tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects. Amends the Moving Ahead for Progress in the 21st Century Act (or MAP-21) to: (1) expand the membership and duties of state freight advisory committees; and (2) require state freight plans to include strategies and goals to decrease greenhouse gas emissions, local air pollution, water runoff, and wildlife habitat loss. Amends the Internal Revenue Code to: (1) impose a 1% excise tax upon taxable ground transportation of property (i.e., transportation by freight rail or truck trailer and semitrailer chassis and bodies, suitable for use with a trailer or semitrailer with a gross vehicle weight of 26,000 pounds or more), and (2) deposit such tax revenues into a Freight Trust Fund (established by this Act) to finance the Multimodal Freight Program.

Status Update: no change since the last report.

### **H.R.1330, American-Made Energy and Infrastructure Jobs Act**

Introduced on March 4 by Congressman Steve Stivers (R-OH-15) with one cosponsor. The bill was referred to the Committees on Natural Resources, Ways and Means, Energy and Commerce and Transportation and Infrastructure. Directs the Secretary to collect non-refundable fees from the operators of facilities subject to inspection under this Act. Establishes in the Treasury the Ocean Energy Enforcement Fund as depository for oil and gas leasing fees. Redefines the OCS to include all submerged lands lying within the U.S. exclusive economic zone and the Continental Shelf adjacent to any U.S. territory. Authorizes the Secretary of the Treasury, with the President's approval, to: (1) borrow for highway and transportation project expenditures and for water infrastructure expenditures, and (2) issue interest-bearing infrastructure revenue bonds

for the amounts borrowed. Amends the Internal Revenue Code to appropriate to the Highway Trust Fund 95% of any proceeds from the issuance of such infrastructure revenue bonds. Makes available to the Administrator of the Environmental Protection Agency for making capitalization grants to eligible states: (1) 2.5% of infrastructure revenue bond proceeds for grants under the Federal Water Pollution Control Act, and (2) 2.5% of such proceeds for grants under Safe Drinking Water Act.

Status Update: no change since the last report.

**H.R.278, Transportation Investment Generating Economic Recovery for Cities Underfunded Because of Size Act of 2015 or TIGER CUBS Act**

Introduced on January 12 by Congressman Rick Larsen (D-WA-2) with one cosponsor. The bill was referred to the Committees on Appropriations and Budget. The bill provides \$500 million in supplemental FY2015 appropriations to the Department of Transportation for national infrastructure investments under a competitive grant program commonly known as the Transportation Investment Generating Economic Recovery (TIGER) program. At least \$100 million of the funds must be used for projects located in cities with populations between 10,000 and 50,000. The funding provided by this bill is designated as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. This funding is only available if the President designates the amounts as an emergency and submits the designation to Congress.

Status Update: no change since the last report.

**H.R.680, Update, Promote, and Develop America's Transportation Essentials Act of 2015**

Introduced on February 3 by Congressman Earl Blumenauer (D-OR-3) with 25 (now 38) cosponsors. The bill was referred to the House Committee on Ways and Means. The bill expresses the sense of Congress that by 2024 the gas tax should be repealed and replaced with a more sustainable, stable funding source. Amends the Internal Revenue Code, with respect to the excise tax on motor fuels, to increase the rate of tax on: (1) gasoline other than aviation gasoline to 26.3 cents per gallon in 2016, 30.3 cents per gallon in 2017, and 33.3 cents per gallon after 2017 and before 2028; (2) diesel fuel or kerosene to 32.3 cents per gallon in 2016, 36.3 cents per gallon in 2017, and 39.3 cents per gallon after 2017 and before 2027; and (3) diesel-water fuel emulsion. Delays the termination of such increased rates from the end of FY2016 to December 31, 2026. Requires an adjustment for inflation to such increased rates beginning after 2017. Increases allocations in the Mass Transit Account of the Highway Trust Fund in 2016 and 2017 and after 2017. Imposes a floor stocks tax on rate increases for gasoline, diesel fuel, and kerosene (other than aviation-grade kerosene), subject to specified exemptions for exempt uses and low-volume producers.

Status Update: one cosponsor added since the last report.

**S.762, Innovation in Surface Transportation Act of 2015**

Introduced on March 17 by Senator Roger Wicker (R-MS) with 3 cosponsors. The bill was referred to the Committee on Environment and Public Works. The bill directs the Secretary of Transportation, in coordination with state transportation departments, to establish an innovation in surface transportation program. Requires states to make competitive grants for innovative surface transportation projects to eligible entities, including local governments, metropolitan planning organizations, regional transportation authorities, transit agencies, tribal governments, private providers of public transportation, nonprofit transportation organizations, port authorities, joint power authorities, freight rail providers, and local rail authorities. Requires each state (including the governor and state department of transportation) to establish an innovation in surface transportation selection panel to formulate criteria for selecting projects. Requires a state to reserve certain percentages of federal funds apportioned for the national highway performance, the highway safety improvement, the congestion mitigation and air quality improvement, surface transportation, and transportation alternatives programs in order to fund related projects under state innovative surface transportation grants. Authorizes states to reserve a certain percentage of such funds for a fiscal year to meet specific requests for project application support from eligible rural local governments.

Status Update: no change since the last report.

#### **H.R.1620, 414 Plan Act of 2015**

Introduced on March 25 by Congressman Randy Forbes (R-VA-4) with no cosponsors. The bill was referred to the House Committee on Transportation and Infrastructure. Declares that federal laws and regulations (including prevailing rate of wage requirements under the Davis-Bacon Act) shall not apply to any federal-aid highway or highway safety construction project, except those relating to: (1) the safety or durability of a highway facility, or (2) public or workplace safety. Repeals the prohibition against approval of federal-aid highway projects or regulatory actions that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless the project or action provides for a reasonable alternative route or such a route exists. Defines "transportation alternatives" as any of the following activities when carried out as part of an authorized or funded federal-aid highway program or project, or as an independent program or project related to surface transportation for the construction, planning, and design of: (1) transportation projects to achieve compliance with the Americans with Disabilities Act of 1990; or (2) infrastructure-related projects and systems that will provide safe routes for nondrivers, including children, older adults, and individuals with disabilities to access daily needs. Repeals the authorization for states to use certain funds for construction of pedestrian walkways and bicycle transportation facilities. Eliminates the requirement that statewide transportation plans and statewide transportation improvement programs provide for the development of accessible pedestrian walkways and bicycle transportation facilities. Expresses the sense of Congress that states, federal agencies, localities, and private stakeholders should take steps toward increased cooperation to further expedite surface transportation projects.

Status Update: no change since the last report.

#### **H.R.3038, Highway and Transportation Funding Act of 2015, Part II**

Introduced on July 13 by Congressman Paul Ryan (R-WI-1) with one cosponsor. The bill passed the House and was placed on Senate Legislative Calendar. Directs the Secretary of Transportation to reduce the amount apportioned for a surface transportation program, project, or activity for FY2015 by amounts apportioned or allocated under the Highway and Transportation Funding Act of 2014 and the Highway and Transportation Funding Act of 2015 for the period from October 1, 2014, through July 31, 2015. TITLE I--SURFACE TRANSPORTATION PROGRAM EXTENSION Subtitle A--Federal-Aid Highways (Sec.1001) Amends the Highway and Transportation Funding Act of 2014 to continue from October 1, 2014, through December 18, 2015, and authorizes appropriations through that period for, specified federal-aid highway programs under: the Moving Ahead for Progress in the 21st Century Act (MAP-21) the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Technical Corrections Act of 2008, SAFETEA-LU, the Transportation Equity Act for the 21st Century (TEA-21), the National Highway System Designation Act of 1995, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and other specified law. Subjects funding for FY2015, and for the period October 1, 2015, through December 18, 2015, for such programs to certain funding level restrictions. Amends MAP-21 to authorize appropriations out of the general fund of the Treasury for the Tribal High Priority Projects program for the same period. Prescribes an obligation ceiling of \$40.256 billion for FY2015, including \$8,689,136,612 for the period October 1, 2015, through December 18, 2015, for federal-aid highway and highway safety construction programs. (Sec. 1002) Authorizes appropriations from the HTF (other than the Mass Transit Account) for administrative expenses of the federal-aid highway program for the same period. Subtitle B--Extension of Highway Safety Programs (Sec. 1101) Extends for the same period the authorization of appropriations for National Highway Traffic Safety Administration (NHTSA) safety programs, including: highway safety research and development, national priority safety programs, the National Driver Register, the High Visibility Enforcement Program, and NHTSA administrative expenses. Amends SAFETEA-LU to extend for the same period high-visibility traffic safety law enforcement campaigns under the High Visibility Enforcement Program. Sets aside a specified amount of the total apportionment to states for highway safety programs for a cooperative program to research and evaluate priority highway safety countermeasures for the same period. (Sec. 1102) Extends for the same period the authorization of appropriations for Federal Motor Carrier Safety Administration (FMCSA) programs, including: motor carrier safety grants, FMCSA administrative expenses, commercial driver's license program improvement grants, border enforcement grants, performance and registration information system management grants, commercial vehicle information systems and networks deployment grants, safety data improvement grants, a set-aside for high priority activities that improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations, a set-aside for new entrant motor carrier audit grants, FMCSA outreach and education, and the commercial motor vehicle operators grant program. (Sec. 1103) Amends the Dingell-Johnson Sport Fish Restoration Act to continue, for the same period, the authorized distribution of funds for coastal wetlands, recreational boating safety, projects under the Clean Vessel Act of 19921, boating infrastructure projects, and the National Outreach and Communications Program. Subtitle C--Public Transportation Programs (Sec. 1201) Extends for the same period the apportionment of nonurbanized (rural) area formula grants for competitive grants and formula grants for public transportation on Indian reservations. (Sec. 1202) Extends the apportionment of urbanized area formula grants for passenger ferry projects for the same

period. (Sec. 1203) Extends for the same period the authorization of appropriations from the HTF Mass Transit Account for: formula grants for public transportation, including allocations for specified projects; research, development demonstration, and deployment projects; the transit cooperative research program; technical assistance and standards development grants; human resources and training grants; capital investment grants; and administrative expenses. (Sec. 1204) Allocates, for the same period, certain amounts to states and territories for formula bus and bus facilities grants. Subtitle D--Hazardous Materials (Sec. 1301) Authorizes appropriations for the same period for hazardous materials (hazmat) transportation safety projects. Authorizes the Secretary to make certain expenditures, including an amount for hazmat training grants, from the Hazardous Materials Emergency Preparedness Fund for the same period. TITLE II--REVENUE PROVISIONS (Sec. 2001) Amends the Internal Revenue Code to extend through December 19, 2015, the authority for expenditures from: (1) the Highway and Mass Transit Accounts of the Highway Trust Fund, (2) the Sport Fish Restoration and Boating Trust Fund, and (3) the Leaking Underground Storage Tank Trust Fund. (Sec. 2002) Appropriates additional funds to the Highway and Mass Transit Accounts of the Highway Trust Fund. (Sec. 2003) Requires tax information returns reporting mortgage interest received in a trade or business to include: (1) the outstanding principal on the mortgage, (2) the date of the origination of the mortgage, and (3) the address of the property which secures the mortgage. (Sec. 2004) Requires that: (1) the value of the basis in any property acquired from a decedent be consistent with the basis as determined for estate tax purposes; and (2) executors of estates disclose to the Internal Revenue Service and to persons acquiring any interest in the decedent's estate information identifying the value of each interest received. (Sec. 2005) Makes the six-year limitation on assessments of additional tax applicable to understatements of gross income due to an overstatement of unrecovered costs or other basis. (Sec. 2006) Changes tax return due dates for partnerships, S corporations, and C corporations. Extends the automatic extension for corporate income tax returns from three to six months. (Sec. 2007) Extends through 2025 the authority for transfers of excess pension assets of a defined benefit plan to a retiree health benefits account. (Sec. 2008) Equalizes excise tax rates for liquefied petroleum gas, liquefied natural gas, and compressed natural gas. TITLE III--ADDITIONAL PROVISIONS (Sec. 3001) Revises aviation security service passenger fee requirements. Requires the deposit into the Treasury as offsetting receipts the following sums collected to pay the costs of providing civil aviation security services to airline passengers: \$1.560 billion for FY2024, and \$1.6 billion for FY2025.

Status Update: no change since the last report.

**H.R.3064, To authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes.**

Introduced on July 6 by Congressman Chris Van Hollen (D-MD-8) with eight (now 11) cosponsors and referred to the Committees on Transportation and Infrastructure, Energy and Commerce, Ways and Means, Science, Space, and Technology, Natural Resources, Oversight and Government Reform, Budget, and Rules. Prescribes requirements for environmental reviews with respect to state and federal agency engagement, obstruction of navigation, historic sites, categorical exclusion of multimodal projects from environmental review, and creation in the Department of Transportation (DOT) of an Interagency Infrastructure Permitting Improvement

Center. Directs DOT to establish a multimodal freight incentive grant program and a National Freight Infrastructure Program. Redesignates the Dwight D. Eisenhower System of Interstate and Defense Highways as the National Highway System and the National Freight Network. Requires the federal long-range transportation plan to include a transportation system resilience assessment. Prescribes criteria for high performing metropolitan planning organizations (MPOs) representing urbanized areas with populations of over 200,000. Removes the congestion management process from the transportation planning process for MPOs. Directs DOT to establish a pilot program for up to 10 MPOs to improve multimodal connectivity and increase connections for disadvantaged Americans and neighborhoods with limited transportation options. Revises requirements with respect to congestion mitigation and air quality improvement, including electric vehicle charging stations and commercial motor vehicle anti-idling facilities in rest areas along the Interstate System. Establishes in DOT: a discretionary TIGER Infrastructure Grant Program for various transportation projects; and a discretionary FAST Grant Program to reform the way surface transportation investments and decisions are made, implemented, and funded to achieve national transportation outcomes. Revises requirements for the funding of railroad rehabilitation and improvement financing, the state infrastructure bank program, toll roads, bridges, tunnels, and ferries. Establishes within DOT the position of Assistant Secretary for Innovative Finance. Reauthorizes the federal-aid highway and related programs through FY2021, including revised obligation limitation and apportionment requirements. Directs DOT to: establish a nationally significant federal lands and tribal projects program to fund construction, reconstruction, or rehabilitation of nationally significant federal lands and tribal transportation projects; carry out a broadband infrastructure deployment initiative; create a program to make critical and immediate improvements to infrastructure and highway safety; set-aside specified funds for states for highway safety data improvement activities on public roads; and create and maintain data sets and data analysis tools to assist MPOs, states, and the DOT in carrying out performance management analyses. Federal *Public Transportation Act of 2015* Revises fixed guideway capital investment grants requirements. Authorizes grants to state and local governments for very small starts projects. Revises requirements for formula grants for enhanced mobility and for rural areas, workforce development programs, and the public transportation safety program. Requires recipients of transportation assistance to meet certain standards for hiring locally. Reauthorizes specified public transportation assistance programs through FY2021. Authorizes DOT to make competitive grants to state and local governmental entities for bus rapid transit projects. Authorizes appropriations for specified highway safety programs through FY2021, and revises related requirements. Revises criteria for state graduated driver licensing incentive grants. Adds a 24-7 sobriety program to criteria for state repeat offender and open container laws. Authorizes specified amounts of grant funds to states for distracted driving enforcement. Authorizes appropriations for specified motor vehicle safety programs through FY2021, and increases penalties for safety violations. Revises certain reporting requirements for tire manufacturers. Requires DOT to conduct a pilot grant program to evaluate the feasibility and effectiveness for a state process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration. Revises specified requirements for commercial motor vehicle and commercial driver safety. Requires disqualification to operate a commercial motor vehicle for anyone who fails to pay an assessed civil penalty for a motor vehicle safety violation. Revises certain medical and registration requirements for commercial motor vehicle operators. Revises requirements for the Motor Carrier Safety Assistance Program. Directs DOT to administer a High Priority Program, an innovative technology deployment grant

program, and a Commercial Motor Vehicle Operators Grant Program. Authorizes DOT to establish: a motor carrier safety facility working capital fund, and a financial assistance program for commercial driver's license program implementation. Directs DOT to maintain for the Federal Motor Carrier Safety Administration a motor carrier safety advisory committee. Revises requirements for the Unified Carrier Registration System plan. Repeals the authorization for self-insurance by motor carriers. Prescribes notice requirements relating to decisions that electronic logging devices fail to comply with standards. Authorizes DOT to issue regulations: governing contractors that exercise control over motor carrier operations; and requiring motor vehicle employers to track and compensate employees for on-duty, not-driving time. Authorizes DOT, with respect to unsafe conditions or practices in the transportation of hazardous materials (hazmat transportation), to order necessary: operational controls, restrictions, and prohibitions without prior notice or an opportunity for a hearing; and removal, remediation, or disposal of hazardous materials causing unreasonable risk of death, personal injury, or significant harm to the property or the environment. Authorizes DOT to collect reasonable fees for the administration of the special permits and approvals for deposit into a Hazardous Materials Approvals and Permits Fund. Revises requirements for planning and training grants under the Emergency Planning and Community Right-To-Know Act of 1986. Reauthorizes the program for regulating hazmat transportation through FY2021. Amends the Internal Revenue Code to extend through FY2023 specified highway-related taxes as well as requirements for expenditures from the Sport Fish Restoration and Boating Trust Fund. Replaces the Highway Trust Fund with a Transportation Trust Fund, and authorizes appropriations to it through FY2021. Directs DOT to establish and support a National Cooperative Freight Transportation Research Program and a Priority Multimodal Research Program. Revises the competitive selection process for the university transportation centers consortia program. Requires the Director of the Bureau of Transportation Statistics (BTS) to create data sets and data analysis tools for intermodal transportation data. Establishes in the BTS a National Transportation Library. Authorizes the BTS Director to establish a Port Performance Statistics Program to provide nationally consistent measures of performance of the nation's maritime ports. Revises requirements for the intelligent transportation system (ITS) program. Includes as an ITS program goal the development and deployment of automated vehicles in all modes of surface transportation. Prescribes requirements for the use of funds to develop ITS infrastructure, equipment, and *systems*. *Rail for America Act* Directs DOT to facilitate by financial assistance the establishment of a National High-Performance Rail System of integrated passenger and freight rail services, including a Current Passenger Rail Service Program and a Rail Service Improvement Program. Authorizes appropriations through FY2021 for the System and for the planning, development, construction, and implementation of rail corridors and related infrastructure improvements. Requires Amtrak to submit to the Secretary draft 5-year business line plans and draft 5-year capital asset plans. Authorizes DOT to establish Regional Rail Development Authorities, including a Regional Committee, to facilitate the development of multi-state high-performance rail services, and to coordinate these investments with other rail, transit, highway, and aviation system services. Prescribes requirements for the standardization of passenger equipment and level-entry boarding platforms. Directs DOT to: evaluate the shared-use of right-of-way by passenger and freight rail systems and the operational, institutional, and legal structures that would best support improvements to both of these systems; and conduct a nationwide disparity and availability study to establish the availability and utilization of small business concerns owned and controlled by socially and economically disadvantaged individuals in publicly funded railroad projects.



Requires DOT to complete a National Rail Development Plan meeting certain criteria, and facilitate development of Regional Rail Development Plans. Authorizes DOT to prescribe regulations or issue orders to require host railroads for joint operations that occur within a small geographic area to develop unified rules governing all operations within that area. Revises or prescribes requirements relating to positive train control, hours of service, maximum employee duty hours, safety appliances, locomotive inspections, noise emission standards, and damaged track inspection equipment. Authorizes federal agency heads to construct, install, operate, and maintain electric charging infrastructure for official *agency vehicles*. *Stop Corporate Expatriation and Invest in America's Infrastructure Act of 2015* Amends the Internal Revenue Code to revise rules for the taxation of inverted corporations (i.e., U.S. corporations that acquire foreign companies to reincorporate in a foreign jurisdiction with income tax rates lower than the United States) to provide that a foreign corporation that acquires the properties of a U.S. corporation or partnership after May 8, 2014, shall be treated as an inverted corporation and thus subject to U.S. taxation if, after such acquisition: it holds more than 50% of the stock of the new entity (expanded affiliated group), or the management or control of the new entity occurs primarily within the United States and the new entity has significant domestic business activities.

Status Update: two cosponsors added since the last report.

**H.R.3104, To amend the Internal Revenue Code of 1986 to reduce carbon pollution in the United States, invest in the Nation's infrastructure, and cut taxes for working Americans.**

Introduced on July 16 by Congressman John B. Larson (D-CT-1) with no cosponsors and referred to the Committee on Ways and Means and Foreign Affairs. Amends the Internal Revenue Code to impose an excise tax, beginning in calendar year 2016, on any taxable carbon substance sold by its manufacturer, producer, or importer. Defines "taxable carbon substance" as: (1) coal (including lignite and peat); (2) petroleum and any petroleum products; and (3) natural gas that is extracted, manufactured, or produced in the United States, or entered into the United States for consumption, use, or warehousing. Establishes in the Treasury the America's Energy Security Trust Fund to assist industries negatively affected by this Act, make transfers to the Highway Trust Fund to cover shortfalls, and provide payroll tax relief. Allows individual taxpayers a tax credit equal to carbon tax rebate amounts calculated by the Department of the Treasury. Directs Treasury to study and report to Congress on the best methods to assess and collect taxes on non-carbon greenhouse gases. Expresses the sense of Congress that the United States should establish binding agreements with major greenhouse gas emitting nations to reduce global greenhouse gas emissions

Status Update: no change since the last report.

**S.1589, Building and Renewing Infrastructure for Development and Growth in Employment Act or the BRIDGE Act**

Introduced on June 16 by Senator Mark Warner (D-VA) with ten (now 11) cosponsors and referred to the Committee on Finance. Establishes the Infrastructure Financing Authority (IFA) as a wholly-owned government corporation, headed by a Chief Executive Officer and managed by a Board of Directors, which shall provide direct loans and loan guarantees to facilitate the

construction, consolidation, alteration, or repair of transportation, water, and energy infrastructure projects. Requires infrastructure projects assisted under this Act to have costs reasonably anticipated to equal or exceed \$50 million (\$10 million for rural infrastructure projects). Sets forth special requirements for infrastructure projects in rural areas. Establishes an Office of Technical and Rural Assistance to: provide technical assistance to state and local governments and parties in public-private partnerships in the development and financing of eligible, including rural, infrastructure projects; and establish a regional infrastructure accelerator demonstration program. Establishes an Office of Special Inspector General to conduct, supervise, and coordinate audits and investigations of the business activities of IFA. Prohibits IFA financing of a project if: it is private or does not create a public benefit, or the loan applicant is unable to demonstrate a sufficient revenue stream. Sets forth terms for loans or loan guarantees for eligible infrastructure projects and for the repayment of such loans. Requires an annual independent audit of IFA finances. Requires the President, immediately after IFA approves financing for a proposed project, to convene a meeting of representatives of all permitting agencies to: establish a permitting timetable for the environmental review of a project, and coordinate with relevant state agencies and regional infrastructure development agencies in the review of such projects. Requires the Chief Executive Officer of IFA to: establish fees with respect to loans and loan guarantees that are sufficient to cover IFA's administrative costs; and take actions to make IFA a self-sustaining entity, with administrative and federal credit subsidy costs fully funded by fees and risk premiums on loans and loan guarantees. Amends the Internal Revenue Code to increase from \$15 billion to \$16 billion the aggregate amount of proceeds from tax-exempt facility bonds the Department of Transportation shall allocate among qualified highway or surface freight transfer facilities.

Status Update: no change since the last report.

#### **S.1701, Infrastructure Rehabilitation Act of 2015**

Introduced on June 25 by Senator Lisa Murkowski (R-AK) with no cosponsors (now 8). The bill was referred to the Committee on Environment and Public Works.

Status Update: eight cosponsors added since the last report.

#### **S.1748, A bill to provide for improved investment in national transportation infrastructure.**

Introduced on July 9 by Senator Patty Murray (D-WA) with four cosponsors and referred to the Committee on Commerce, Science, and Transportation.

Status Update: no change since the last report.

#### **S.1680, National Multimodal Freight Policy and Investment Act**

Introduced on June 25 by Senator Maria Cantwell with three cosponsors (now 4). The bill was referred to the Committee on Commerce, Science, and Transportation.

Status Update: one cosponsor added since the last report.

**H.R.3337, National Infrastructure Development Bank Act of 2015**

Introduced on July 29 by Congresswoman Rosa DeLauro (D-CT-3) with seventy cosponsors (now 75). The bill was to the Committee on Energy and Commerce, Transportation and Infrastructure, Financial Services, and Ways and Means. Establishes the National Infrastructure Development Bank as a wholly owned government corporation. Makes the Bank's Board of Directors responsible for monitoring and overseeing energy, environmental, telecommunications, and transportation infrastructure projects. Authorizes the Board to: (1) make senior and subordinated direct loans and loan guarantees to assist in the financing or refinancing of an infrastructure project, (2) issue public benefit bonds and provide financing to infrastructure projects, and (3) pay an interest subsidy to the issuer of American Infrastructure Bonds. Requires the Board to establish an Executive Committee to establish requirements and make recommendations for project proposals to be considered for financial assistance. Requires the Bank to establish a Risk Management Committee, which shall: (1) create financial, credit, and operational risk management guidelines for the Bank; (2) set guidelines to ensure diversification of lending activities by geographic region and infrastructure project type; (3) create conforming standards for all financial assistance provided by the Bank; (4) monitor financial, credit, and operational exposure of the Bank; (5) provide financial recommendations to the Board; and (6) ensure that the aggregate amount of interest subsidies provided for American Infrastructure Bonds in a given calendar year does not exceed 28% of interest payable under all such Bonds. Requires the Bank to establish an audit committee. Requires the Board to approve criteria established by the Executive Committee for determining project eligibility for financial assistance. Sets forth criteria to be considered by the Board for each type of infrastructure project. Requires the Executive Committee to conduct an analysis that considers the economic, environmental, and social benefits and costs of each project under consideration, prioritizing projects that contribute to economic growth, lead to job creation, and are of regional or national significance. Requires any financial assistance for an infrastructure project to be repayable from dedicated revenue sources that also secure the infrastructure project obligations. Limits the amount of assistance under this Act to 50% of reasonably anticipated project costs. Exempts all bonds issued by the Bank from state or local government taxation. Sets forth requirements regarding compliance of assisted projects with wage rate, domestic content, and buy American statutes. Requires the Board to establish an American Infrastructure Bond program. Establishes in the Treasury the National Infrastructure Development Bank Trust Fund into which an amount estimated to equal the tax receipts attributable to interest payable under such Bonds is to be appropriated.

Status Update: five cosponsors added since the last report.

**H.R.3376, To authorize States to carry out bridge construction, maintenance, repair, and replacement projects using previously allocated surface transportation funds that are identified as being excess or inactive, and for other purposes.**

Introduced on July 29 by Congresswoman Nita Lowey (D-NY-17) with no cosponsors. The bill was referred to the Transportation and Infrastructure Committee.

Status Update: no change since the last report.

**H.R.3398, To improve the condition and performance of the national multimodal freight network, and for other purposes.**

Introduced on July 29 by Congressman David Reichert (R-WA-8) with two cosponsors. The bill was referred to the Committee on Transportation and Infrastructure.

Status Update: no change since the last report.

**S.1994, Tax Relief And FixTheTrustFund For Infrastructure Certainty Act of 2015**

Introduced on August 5 by Senator Thomas Carper (D-DE) with one cosponsor. The bill was referred to the Committee on Finance. This bill amends the Internal Revenue Code to phase in: (1) an increase of the excise tax rate on gasoline beginning in 2016 until such rate is 34.3 cents per gallon in calendar years beginning after 2018, and (2) a similar increase to 40.3 cents per gallon for diesel fuel and kerosene. The rates are to be adjusted for inflation for calendar years after 2019. The bill phases in increases in allocations of fuel excise tax amounts to the Mass Transit Account of the Highway Trust Fund for calendar years beginning in 2015. Such increased allocations are to be adjusted for inflation for calendar years beginning after 2019. The bill makes permanent the increase in the refundable portion of the child tax credit and the increase in the earned income tax credit for families with three or more qualifying children. The earned income tax credit is also modified to: (1) allow an increase in such credit for individuals with no qualifying children, (2) revise tax credit eligibility rules for married individuals living apart and qualifying children claimed by another family member, and (3) repeal the denial of such credit for taxpayers with excess investment income.

Status Update: no change since the last report.

**S.2008, Transportation, Access, and Opportunity Act of 2015**

Introduced on August 6 by Senator Jeff Merkley (D-OR) with no cosponsors. The bill was referred to the Committee on Banking, Housing, and Urban Affairs.

Status Update: no change since the last report.

**H.R.3465, Public-Private Partnership Infrastructure Investment Act**

Introduced on September 9 by Congressman Sean Patrick Maloney (D-NY-18) with no cosponsors. The bill was referred to the Committee on Transportation and Infrastructure.

Status Update: bill added since the last report.

# THE WALL STREET JOURNAL.

Saturday/Sunday, September 12 – 13, 2015

## Highway to Bureaucratic Hell

**A**nyone who rattled down highways replete with moon craters while traveling on Labor Day weekend knows: The government doesn't excel at managing roads. A major improvement would be bulldozing a permitting process that delays new public-works projects for up to a decade, and a new report from the nonpartisan group Common Good offers a road map.

In 2009 the Obama Administration air-dropped \$800 billion of taxpayer cash known as the stimulus package, but as of last year a piddling \$30 billion had been spent on transportation infrastructure. One reason the projects proved not as "shovel ready" as promised is that proposals must undergo extensive environmental and permitting reviews, which leave no tedium behind in part to avoid litigation.

No single official oversees the process, and agency turf wars are the norm. A project must comply with every federal, state and local outfit that declares itself relevant—Fish and Wildlife, the town fire department. A desalination plant in San Diego, for example, kicked off a permitting adventure in 2003 that lasted nine years and endured 14 legal challenges, which makes California's failure at drought relief less of a mystery.

Another illustration is the Bayonne Bridge that connects New Jersey to Staten Island and at 150-foot tall blocks large cargo ships. The Port Authority of New York and New Jersey plans to raise the bridge height to 215 feet instead of blowing \$3 billion on, say, a new tunnel. As a reward for that rationality, it took six months to identify the lead agency for an environmental review that dragged on for some five

years. The regulatory jibber jabber spanned 20,000 pages and included traffic flow studies for a bridge that already exists.

**Why it takes six years to build a road in America. And how to do it faster.**

One irony is that delays mean more carbon energy use. Roughly 6% of energy pumped out for public consumption is wasted thanks to America's superannuated electricity grid. That works

out to about 200 coal-burning power plants, the study notes. The same is true for congested roads, on which motorists guzzle gas in traffic while they wait the average six years for a major highway project to be approved.

The expense adds up: A six-year delay on public projects costs more than \$3.7 trillion, the report found. By the way, the amount needed to update dilapidated bridges, water pipes and so on over the next decade is half that, at \$1.7 trillion.

Common Good suggests building a process that shuttles projects through in a prompt two years. Environmental reviews should be handled by one designated official and kept to 300 pages; litigation should be restricted to the first 90 days after the permit is issued; the White House should be granted authority to appoint an agency as a "one-stop-shop" for interstate projects.

Congress could address the permitting morass this fall as part of the transportation bill, and the presidential candidates could include the issue and a horror story or two in their agendas for faster economic growth. It's hard to imagine a more sensible and politically achievable idea—and one better suited to restoring public confidence that government can carry out its basic duties.

# Auburn Journal

Sunday, September 27, 2015  
Sunday, October 18, 2015

# Colfax Record

Thursday, October 15, 2015

# LINCOLN NEWS MESSENGER

Thursday, September 24, 2015

# LOOMIS NEWS

Thursday, October 15, 2015

# PLACER HERALD

Thursday, October 15, 2015

Roseville & Granite Bay  
**PRESS TRIBUNE**

Thursday, October 15, 2015

15PL450 Placer County Transportation

ran a selfie contest inside the salon.

"People would take selfies inside the Crystal CAT frame and post them on our Facebook page," Besotes said. "Every hour, we picked a winner who received two tickets to Studio Grill."

Volunteer Leesa O'Neill said she works the cut-a-thon every year.

"As of 2 p.m., we had 47 people get their hair cut," said O'Neill, adding that a great turnout was from the Lincoln High School Key Club. "It's a great cause and I look forward to it every year. It's a blessing that I can give back and it's a great feeling to be around all these wonderful people."

Crystal Shawnee died on Sept. 27, 2011 of stage 4 cancer of the appendix. Shawnee was a close friend of Sidle, who held the first cut-a-thon fundraiser the week before Shawnee died. The first cut-a-thon raised money to help Shawnee's family deal with the finan-

succ.

"It renews my faith in community to see all these strangers, who have now become part of my family," Usher said. "I miss my sister dearly but this is something I look forward to every year.

ty together.

Application-nomination forms for Placer County families dealing with cancer, who need financial assistance, are online at the Crystal Shawnee Cut-a-thon Facebook page.

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## Is Public Transit Working for You?

The Placer County Transportation Planning Agency would like your input on how to improve public transit in Placer County. We invite you to participate in the Unmet Transit Needs process and let us know what could be done to better serve your mobility needs.

### Attend a Workshop

**Lincoln**  
Wed., October 7 – 4:00 pm  
Lincoln City Hall  
First Floor Mtg. Room  
600 Sixth Street

**Auburn**  
Thurs., October 8 – 6:00 pm  
Auburn City Hall  
Council Chambers  
1225 Lincoln Way

**Auburn (Public Hearing)**  
Wed., October 28 – 9:15 am  
Placer Co Administrative Center  
Board of Supervisors Chambers  
175 Fulweiler Avenue

Can't Make a Workshop, Submit Comments by:



Email  
ahoyt@pctpa.net



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