



**Highway Users' Priorities  
for Highway Reauthorization & the 117<sup>th</sup> Congress**

## **Background:**

The American Highway Users Alliance (Highway Users) is a 300-member coalition representing the interests of drivers and the motoring public, including AAA clubs, truck and bus companies, motorcyclists, and a diverse range of businesses that help to fund the Highway Trust Fund. The Highway Users has advocated for improving safety and mobility since 1932 and has been a major stakeholder in every highway bill since then.

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## **Top Priorities for Transportation Reauthorization:**

- **Significantly Increase Highway Funding**
- **Strengthen the Highway Trust Fund**
- **Oppose Diversion of Highway Funds**
- **Strengthen the Highway Safety Improvement Program**
- **Streamline Delivery of Roadway Projects**

### **Discussion of Top Priorities**

#### **Significantly Increase Highway Funding:**

The Highway Users supports **prompt passage of a long-term highway and surface transportation reauthorization bill that includes robust and guaranteed long-term highway funding**, distributed predominantly by formula, with **significant growth in funding for the highway program**.

The Highway Users strongly encourages preservation of the 80/20 split for highways and transit of contract authority from the Highway Trust Fund, due to the truly massive needs that exist on our highways and bridges, as outlined by the USDOT's Conditions and Performance Report on Highways, Bridges and Transit that identified a **\$786.4 billion backlog of highway and bridge investments**.

#### **Strengthen the Highway Trust Fund:**

The Highway Users strongly recommends that **support for the Highway Trust Fund (HTF) come from a sustainable, ongoing user fee**. Congress should address the continuing HTF shortfall and **enable significantly increased HTF support for highway and surface transportation investment**. This investment is necessary to support economic recovery, needed transportation improvements, jobs, and Americans' quality of life.

#### **Oppose New Eligibilities for Highway Funds:**

The current program has appropriate and considerable flexibility for states to tailor different federal priorities to local needs. We **oppose new eligibilities for highway funds** for non-highway purposes beyond what is currently allowed, particularly given the nearly \$800 billion backlog in beneficial highway projects, the very limited user fee-based funds available, and the already considerable ability to use highway funds for other purposes. The massive backlog of highway needs will go unaddressed if legislation creates restrictive new program elements that may not address highway needs, even if labeled as part of the "highway" program. Fundamental highway program elements must grow substantially.

We support addressing the needs of all transportation infrastructure and are supportive of securing general funds to advance an integrated transportation network. Further, with the 80/20 split, Federal support for transit will grow as the support for highways grows.

## **Strengthen the Highway Safety Improvement Program:**

The Highway Users supports **robust funding for the Highway Safety Improvement Program (HSIP)**, preventing transfers of contract authority out of this program, and continuing the current requirement that these funds be used solely on infrastructure and not flexed to other programs that have their own funding stream. Set-asides for safety related clearinghouses must be continued.

## **Streamline Delivery of Roadway Projects:**

Congress should authorize **more experimental programs** that allow FHWA to **pilot test new planning, design, right-of-way acquisition, and/or construction methods** that **reduce wasted time and money**. A streamlined process for delivery of roadway projects is fully consistent with environmental review and protection.

We **oppose new, burdensome statewide, metropolitan, or individual project planning or review requirements**. Although progress has been made on streamlining over the past twenty years, the process is still lengthy and cumbersome. Congress should continue to work towards **responsible streamlining** and avoid new requirements that slow the planning and project delivery process, whether they be styled as “complete streets” requirements or restraints on capital investments that could even go so far as to prevent roadway shoulder safety improvements. In short, adding complication to the highway program is problematic.

## **Additional Priorities for Transportation Reauthorization**

### **Facilitate Deployment of Connected and Autonomous Vehicles (CAVs):**

Congress should create an FHWA-administered discretionary **grant program** to help both rural and urban States who wish to **innovate by better preparing their infrastructure for connected and autonomous vehicles (CAVs)**. While states already have the flexibility to make such investments with their own or apportioned funds, the expected safety benefits of CAVs makes it appropriate to provide discretionary funds to further that deployment. Automated vehicles and other new technologies are already being tested and utilized on public roads. Promoting greater transparency will help ensure confidence that new technology is being developed and deployed in a safe manner.

### **Support Alternative Fuel Corridors:**

The Highway Users supports legislation to provide for alternative fuel infrastructure, including for electric vehicles (light, medium and heavy-duty), along National Highway System corridors for alternative fuel vehicles. Our support is dependent on funding for this program coming from **outside** the Highway Trust Fund – again, particularly given the already large backlog of beneficial highway projects. If necessary, these investments should be made a broadly eligible use of CMAQ funds.

## **Maintain FAST Act Tolling Provisions:**

Congress **should maintain the FAST Act tolling provisions and take further action to stop unfair and discriminatory tolling on the Interstate System.** The FAST Act enabled broad authority for States to toll new capacity and convert underutilized HOV lanes to toll lanes.

## **Support Road Construction Safety Contingency Funding:**

Congress should encourage States to explore the use of innovative contracting methods, which can mitigate or eliminate the **funding barriers** often associated with **incorporating enhanced work zone safety measures**. In particular, states should establish **road construction safety contingency funds for all projects**.

Title 23 of the United States Code, Section 120, Subsection (c)(3)(B), provides several examples of Innovative Project Delivery, including those that use innovative procurement and contracting procedures, and provides for an increased federal share payable up to 100 percent for innovative projects. This section **should be amended** to specifically **include innovative project delivery methods that improve work zone safety** for motorists and workers.

## **Simplify and Don't Add to Requirements Imposed on the Highway Program**

In addition to streamlining the project review process, the **highway program can be improved by limiting other requirements that burden its administration** and the delivery of highway investments. For example, in cases where a state is in non-attainment with Clean Air Act pollutants, the State may have to program projects to help meet EPA requirements. In those cases where a pollutant results from natural causes, not from transportation agency actions, the Federal Government should not restrict state choice or options. So, for example, particulate pollution from forest fires or dust storms should not cause Federal restrictions on state transportation project choices.

Regions should also not have transportation funds restricted due to pollutants that are generated outside of their jurisdiction and regulatory control. For example, close proximity to large, urbanized areas, often in other states or even across the international border, provide a region with little or no recourse for addressing what could be their primary pollution sources.

## **Safety Title**

### **Fully Fund DADSS Research Program:**

**The Highway Users strongly support continuing the invaluable work and funding for the Driver Alcohol Detection System for Safety (DADSS) Research Program.** The Highway Users has supported the work of DADSS since its inception and hopes that the program will be able to complete its important research. If the DADSS Program is ended prematurely, the lifesaving potential of this technology will be dramatically delayed or forever lost because the intellectual property generated will be exposed to blocking patents. Reauthorizing and appropriately funding the DADSS Research Program, therefore, is vital to realizing the significant safety benefits of this technology.

While the Highway Users is very supportive of the DADSS Research Program and its efforts to develop this new technology, we are concerned with legislation that would mandate installment of advanced alcohol detection software in future vehicles even though the technology required is still under development and is not ready for deployment. Consumer acceptance, adoption, data concerns, and accuracy should all be considered before this technology is mandated.

## **Other Priorities for the 117<sup>th</sup> Congress**

### **Support State DOT Relief to Address Highway Needs:**

The Highway Users support including relief to State departments of transportation (DOTs), to allow them to continue their roadway construction and maintenance projects over the next five years. As part of any recovery related legislation or surface transportation legislation, **Congress should provide \$37 billion in relief to State DOTs to replace the steep decline in their fuel taxes** and other State revenue used for highways in order to ensure highway users have a system they can rely on at this critical time.

Additionally, for 2021 state and local match requirements should be waived.

### **Preserve the Safety Spectrum for Transportation Safety:**

The Highway Users is extremely concerned with efforts underway at the Federal Communications Commission (FCC) to divvy up the spectrum in the 5.9 GHz band that has been preserved for transportation safety and give it away to unlicensed Wi-Fi. Reducing the amount of spectrum available to Vehicle-to-Everything (V2X) technologies undermines efforts to reduce the number of fatalities and serious injuries occurring on our roadways each year. We urge Congress to work with the U.S. Department of Transportation and the transportation community to ensure that the 5.9 GHz band is preserved for transportation safety.

### **Support Autonomous Vehicles Legislation:**

The Highway Users represent millions of road users from the truck, bus, auto, RV and motorcycling modes. **Advancing autonomous vehicles (AV) legislation is a top priority for the Highway Users** and stems from our focus on the safety and mobility of the motoring public. The Highway Users supports AV legislation that rapidly advances the research, testing and deployment of technologies that will sharply reduce fatalities and serious injuries while at the same time reducing roadway congestion. In 2019 alone, 36,120 people died, and approximately 2.7 million individuals were injured on American roadways. This is simply unacceptable, and AVs could be the game changer we need to dramatically reduce crashes going forward.

Federal AV legislation would help prevent a complex patchwork of state laws and regulations and would provide a framework for industry to move forward. Additionally, we support ensuring the safety of AV technologies as they are rolled out to consumers. Transparency surrounding testing and deployment will help ensure adoption.

If you have any questions, please feel free to contact Laura Perrotta, President and CEO of the Highway Users, at [lauraperrotta@highways.org](mailto:lauraperrotta@highways.org) or 571-239-0765. **December 18, 2020**