

Metropolitan Transportation Commission

Bay Area Metro Center 375 Beale Street San Francisco, CA 94105

Meeting Agenda

Legislation Committee

Committee Members:

Alicia C. Aguirre, Chair Sam Liccardo, Vice Chair

Scott Haggerty, Anne W. Halsted, Steve Kinsey, Julie Pierce, James P. Spering Non-Voting Members: Tom Azumbrado, Dorene M. Giacopini

Friday, December 9, 2016 9:35 AM Board Room - 1st Floor

This meeting is scheduled to be webcast live on the Metropolitan Transportation Commission's Web site: http://mtc.ca.gov/whats-happening/meetings and will take place at 9:35 a.m. or immediately following the 9:30 a.m. Operations Committee meeting.

1. Roll Call / Confirm Quorum

2. Consent Calendar

2a. <u>15-2062</u> Minutes of November 4, 2016 Meeting

Action: Committee Approval

Attachments: 2a Minutes Nov 2016

3. Approval

3a. <u>15-2063</u> 2017 Final Advocacy Program

Recommended state and federal legislative priorities for 2017.

Action: Commission Approval Presenter: Randy Rentschler

<u>Attachments:</u> 3a 2017 Final Advocacy Program

Page 1 Printed on 12/2/2016

4. Federal Legislation

4a. <u>15-2064</u> Tom Bulger's Report

Report from MTC's advocate in Washington D.C.

Action: Information

<u>Presenter:</u> Randy Rentschler

<u>Attachments:</u> 4a Tom Bulger's DC Report Nov 2016

5. Public Comment / Other Business

6. Adjournment / Next Meeting

The next meeting of the Legislation Committee will be January 13, 2017, 9:40 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者,請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知,以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

MTC's Chair and Vice-Chair are ex-officio voting members of all standing Committees.

Metropolitan Transportation Commission

375 Beale Street, Suite 800 San Francisco, CA 94105

Legislation Details (With Text)

File #: 15-2062 Version: 1 Name:

Type: Minutes Status: Consent

File created: 11/3/2016 In control: Legislation Committee

On agenda: 12/9/2016 Final action:

Title: Minutes of November 4, 2016 Meeting

Sponsors:

Indexes:

Code sections:

Attachments: 2a Minutes Nov 2016

Date Ver. Action By Action Result

Subject:

Minutes of November 4, 2016 Meeting

Recommended Action:

Committee Approval

Attachments





Metropolitan Transportation Commission

Bay Area Metro Center 375 Beale Street San Francisco, CA 94105

Meeting Minutes - Draft

Legislation Committee

Committee Members:

Alicia C. Aguirre, Chair Sam Liccardo, Vice Chair

Scott Haggerty, Anne W. Halsted, Steve Kinsey, Julie Pierce, James P. Spering Non-Voting Members: Tom Azumbrado, Dorene M. Giacopini

Friday, November 4, 2016

9:35 AM

Board Room - 1st Floor

1. Roll Call / Confirm Quorum

Present: 6 - Chair Aguirre, Commissioner Haggerty, Commissioner Halsted, Vice Chair

Liccardo, Commissioner Pierce, and Commissioner Spering

Absent: 1 - Commissioner Kinsey

Non-Voting Member Present: Commissioner Giacopini Non-Voting Member Absent: Commissioner Azumbrado

Ex Officio Voting Members Present: Commission Chair Cortese and

Commission Vice Chair Mackenzie

Ad Hoc Non-Voting Members Present: Commissioner Bates, Commissioner Campos,

Commissioner Luce and Commissioner Tissier

2. Consent Calendar

Approval of the Consent Calendar

Upon the motion by Commissioner Spering and second by Commissioner Pierce, the Consent Calendar was unanimously approved by the following vote:

Aye: 6 - Chair Aguirre, Commissioner Haggerty, Commissioner Halsted, Vice Chair

Liccardo, Commissioner Pierce and Commissioner Spering

Absent: 1 - Commissioner Kinsey

2a. <u>15-1977</u> Minutes of October 14, 2016 meeting.

Action: Committee Approval

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3. Information

3a. <u>15-1979</u> 2017 Draft Advocacy Program

Initial ideas for state and federal legislative priorities for 2017.

Action: Information

Presenter: Randy Rentschler

4. Federal Legislation

4a. <u>15-1980</u> Tom Bulger's Report

Report from MTC's advocate in Washington D.C.

Action: Information

Presenter: Randy Rentschler

5. Public Comment / Other Business

6. Adjournment / Next Meeting

The next meeting of the Legislation Committee will be December 9, 2016, 9:40 a.m. the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.

Metropolitan Transportation Commission

375 Beale Street, Suite 800 San Francisco, CA 94105

Legislation Details (With Text)

File #: 15-2063 Version: 1 Name:

Type:ReportStatus:Commission ApprovalFile created:11/3/2016In control:Legislation Committee

On agenda: 12/9/2016 Final action:

Title: 2017 Final Advocacy Program

Recommended state and federal legislative priorities for 2017.

Sponsors:

Indexes:

Code sections:

Attachments: 3a 2017 Final Advocacy Program

Date Ver. Action By Action Result

Subject:

2017 Final Advocacy Program

Recommended state and federal legislative priorities for 2017.

Presenter:

Randy Rentschler

Recommended Action:

Commission Approval

Attachments



METROPOLITAN TRANSPORTATION COMMISSION

Agenda Item 3a
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105
TEL 415.778.6700
WEB www.intc.ca.gov

Memorandum

TO: Legislation Committee

DATE: December 2, 2016

FR: Deputy Executive Director, Policy

W.I. 1131

RE: 2017 Final Advocacy Program

The proposed Final Advocacy Program for 2017 is attached for your review and comment. The proposed modifications to the draft shared last month are based on feedback received by commissioners, along with suggestions from other stakeholders.

Changes from the draft we presented in November are shown in *italic type*. In response to commissioner input at your November 4, 2016 meeting, we have added provisions with respect to connected and autonomous vehicles to both the state and the federal advocacy agenda. In addition, in light of the Presidential election and the fact that the Republican Party maintains control of both houses in Congress, we are proposing that we focus our federal efforts on defending the FAST Act program structure and funding levels and on securing funding for an infrastructure package.

The Draft Advocacy Program has been shared with MTC's Policy Advisory Council along with key stakeholders from transportation agencies across the region through our informal Partnership Legislative Committee, comprised of over 120 individuals who have signed up with MTC to receive state and federal legislative updates.

Attachment:

• Attachment A: 2017 Final Advocacy Program

AAB:rl

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2017 FINAL ADVOCACY PROGRAM

Bay Area Metro Center 375 Beale Street, Suite 800 San Francisco, CA 94105 415-778-6700 www.mtc.ca.gov

| STATE | | |
|------------------------------|--|--|
| Issue | Goal | Strategy |
| 1. Transportation Funding | A. Secure new sources of statewide transportation funding | Build on momentum from the last two years to secure new statewide funding for transportation. Advocate that all transportation modes should benefit from increased transportation funding. |
| | B. Authorize New Regional Bridge Toll Measure – Regional Measure 3 | Sponsor legislation authorizing MTC to place on the ballot a measure asking Bay Area voters to approve a bridge toll increase <i>to fund congestion relief and improved mobility in</i> bridge corridors. |
| | C. Cap and Trade Funding | Maintain the existing transportation and housing programs funded by cap and trade and seek opportunities to direct additional cap and trade funds towards these purposes. Monitor legislation to modify the programs and support administrative or legislative efforts to streamline applications and simplify program administration. |
| | D. Update State Transit Assistance Statutes to Stabilize Revenue-Based Funding | Work with the California Transit Association to update the statutes governing the State Transit Assistance Program so that each operator's share of revenue-based funds is based on its share of locally-generated funds used exclusively for operating purposes. This is consistent with the method used by the State Controller until 2016 and brings state law in line with the regulations that have governed the program for decades. |
| | E. Definition of Disadvantaged Communities | Monitor legislation related to the definition of disadvantaged communities (DACs) as it relates to cap and trade or other relevant funding programs. Seek opportunities to broaden the definition in statute so that it includes all socio-economically |

disadvantaged communities. Monitor and engage in administrative efforts related to updating the CalEnviroScreen, the state's current DAC screening tool developed by the

Office of Environmental Health Hazard Assessment (OEHHA).

| Issue | Goal | Strategy |
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| 1. Transportation Funding (cont'd) | F. Increase funding in FY 2017- 18 State Budget for key priorities | Advocate for a FY 2017-18 State Budget that focuses transportation funds on the state's most important needs, giving top priority to state of good repair and system operations. Pursue increased investment in Freeway Service Patrol, public transportation, active transportation and highway operations/system management. |
| | G. Raise the sales tax cap for local option transportation sales taxes | Support efforts by individual Bay Area counties to raise the cap on local sales taxes in order to accommodate additional transportation sales taxes. Ensure legislation to provide such an increase preserves a reasonable degree of local control over the development of the expenditure plan, subject to negotiation with the state on road maintenance issues. |
| 2. Senate Bill 375/ Plan Bay Area Implementation | A. Increase state funding and reduce barriers to construction of new housing | Partner with Bay Area and statewide affordable housing organizations, the Bay Area Council, Silicon Valley Leadership Group, and other interested parties to resume efforts to augment state funding sources for affordable housing. Support legislative efforts to assist the region in the meeting the daunting need for new housing units to lower the cost of housing, accommodate the region's growing population and sustain the Bay Area's position as a leading economic engine for the state and U.S. |
| | B. Improve Roadway Safety for All Users | In partnership with the City and County of San Francisco, San Francisco Municipal Transportation Agency, the City of San Jose and others, support legislation to help achieve Vision Zero — aimed at eliminating all traffic-related <i>serious injuries and fatalities</i> fatal injuries by 2024. Support proposals to increase enforcement of traffic laws protecting pedestrians and bicyclists, and where appropriate, pursue new laws to improve safety <i>throughout the transportation network</i> . |
| 3. Project Delivery | Speed up the design and construction of transportation projects | Support legislation to expedite transportation project delivery by increasing contracting and financing options, including increased flexibility in the Caltrans design review process and broad authority for the use of design-build by Caltrans and regional transportation agencies. Pursue opportunities to establish requirements that would provide greater certainty and oversight of Caltrans reimbursement expenses for locally-sponsored projects on the state highway system. |

| Issue | Goal | Strategy |
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| 4. CEQA Reform | Update CEQA to curb its abuse by project opponents and speed up the environmental review process | Monitor legislation related to the California Environmental Quality Act (CEQA) to seek opportunities to expedite transportation projects and avoid litigation and project delay for key regional priorities, such as projects to expand public transit and build affordable housing. Review and comment on the update to the CEQA Guidelines by the Governor's Office of Planning & Research with respect to analysis of transportation impacts under CEQA pursuant to SB 743 (Steinberg, 2013). Advocate for guidelines and a technical advisory document that makes CEQA analysis simpler for transit-oriented development and implementation of Plan Bay Area overall. |
| 5. Shared Mobility | Support policies that enable technological innovations to improve mobility, while protecting the public's interest | Monitor legislation related to shared mobility, such as transportation network companies and real-time carpooling, to ensure that mobility benefits are maximized, and access to critical data for transportation and land-use planning <i>and operational</i> purposes is assured. |
| 6. Connected and Autonomous Vehicles | Monitor and engage in legislation and regulations to facilitate deployment of connected vehicles and autonomous vehicles | In partnership with Bay Area cities and counties, transit agencies, the business community, and other transportation organizations, engage in regulatory and legislative efforts related to connected and autonomous vehicles with the goal of accelerating their mobility, safety and economic benefits. Support efforts to expand the two-site Contra Costa pilot program authorized by AB 1592 (Bonilla, 2016) to other Bay Area jurisdictions interested in testing autonomous vehicles. |
| 7. FasTrak [®] / Express Lanes | Reduce paper & improve customer communication | Seek opportunities to expedite implementation of the Bay Area express lane network and oppose legislation that would undermine express lane performance. Pursue changes to current law that would enable us to communicate with FasTrak® customers more effectively. Consolidate customer notification of privacy policies for the Bay Area Toll Authority, the Bay Area Infrastructure Financing Authority and partner agency express lane operators. Current law requires that a recipient of a FasTrak® flex tag receive a copy of each of these agency's individual privacy policies even though they are almost identical. This is confusing to the customer and a waste of resources. Lastly, modernize the public notification requirements for adoption of a toll ordinance for express lanes to allow for online publishing of the ordinance rather than via newspapers which cost BATA almost \$40,000. |

| Issue | Goal | Strategy |
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| 8. Transportation Development Act (TDA) Public Hearing Requirement | Eliminate requirement for "transit needs" hearings utilizing a Social Services Transportation Advisory Council (SSTAC) in counties that use 100% of TDA for public transit | Under current law, with respect to any county with a population below 500,000 in 1970, transportation planning agencies, such as MTC, are required to convene a Social Services Technical Advisory Committee to annually identify the transit needs of the county, review and recommend action by the TPA and conduct at least one public hearing a year. The hearings are required to target "transit dependent and transit disadvantaged populations" (seniors, disabled and low-income). State law included this requirement as a way to ensure these populations had an opportunity to provide comments about transit needs prior to counties using Transportation Development Act (TDA) funds for non-public transit purposes, i.e., local streets and roads. Since the Bay Area counties subject to this requirement — Marin, Napa, Solano and Sonoma— have ceased using eligible TDA funds for local roads, and now spend it exclusively on transit, the hearing requirement is moot for our region. Staff would seek to include this fix in a transportation omnibus "clean-up" bill administered by the Senate Transportation Committee next year. |
| 9. State Route 37 | Relieve congestion and mitigate the effects of sea level rise on S.R. 37 | In partnership with the State Route 37 Policy Committee and its representative agencies, support legislation to address sea level rise, reduce congestion and improve safety on State Route 37. |

| FEDERAL | | |
|------------------------------|---|--|
| Issue | Goal | Strategy |
| 1. 2. Federal Appropriations | A. Maximize Defend federal transportation appropriations for FAST Act programs and affordable housing funds and programs | Partner with local, regional and statewide transportation agencies as well as national stakeholders to ensure that Congress appropriates funding in fiscal year 2017 and fiscal year 2018 consistent with amounts authorized in FAST Act. <i>Likewise, work to defend federal affordable housing funds and programs, such as the Low-Income Housing Tax Credit.</i> |
| | B. Advocate for Capital Investment Grant funding for Resolution 3434/ Plan Bay Area Projects | Support annual Capital Investment Grant appropriations to help implement the Regional Transit Expansion Program, Resolution 3434, consistent with the full funding grant agreements approved for the San Francisco Third Street Light Rail/Central Subway project and the BART to Berryessa extension. Seek New Starts commitments for the next generation of transit expansion projects, consistent with Plan Bay Area, namely: San Francisco Transbay Transit Center (Phase 2)/Downtown Extension (DTX) and BART to Silicon Valley: Phase 2. Support Core Capacity Program requests from Caltrain for a full funding grant agreement for the Peninsula Corridor Electrification Project and BART for the Transbay Corridor Core Capacity project. Support transit operator requests for Small Starts funding for projects consistent with Plan Bay Area, including projects already in the Capital Investment Grant process. |
| 2. Infrastructure Funding | Prioritize multimodal transportation and housing investment in metropolitan regions under any new infrastructure funding initiative | Urge the new Congress and Administration to make transportation and housing infrastructure in the nation's metropolitan regions a national funding priority. Work with partners across the country to support an investment package with <i>funding and financing tools that work for metropolitan regions, including new revenues</i> for megaproject grants <i>for major transit, congestion relief and goods movement projects</i> , a new metro-mobility formula program and increased funding for existing authorized transportation programs, including the surface transportation block grant and congestion mitigation and air quality programs. In conjunction, support growing federal resources for affordable housing, including low income housing tax credits, the National Housing Trust Fund, and Community Development Block Grant program funding. |

| Issue | Goal | Strategy |
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| 1. 3. Fixing America's Surface Transportation (FAST) Act Reauthorization and Federal Funding | A. Support a FAST Act reauthorization platform that will Fincrease and stabilize funding and support program structure updates that empower the region to achieve Plan Bay Area goals | Work with our partner Bay Area transportation agencies, Caltrans and other statewide and national organizations to develop a FAST Act reauthorization agenda. Begin building coalitions to support regional priorities. Reauthorization strategies could include building on the federal program's performance-based framework by rewarding high-performing regions with additional funding and flexibility; identifying opportunities to secure additional freight, ferry, transit and commuter rail funding to the region; and identifying a new, permanent funding source of funding for the Highway Trust Fund. |
| | B. Retain a strong multi- modal focus for U.S. Department of Transportation discretionary grant programs | Work with the incoming U.S. Department of Transportation as the agency develops evaluation criteria for discretionary programs, including TIGER and FASTLANE grants. Partner with local, regional, state, and national stakeholders to advocate for evaluation criteria with an enhanced emphasis on outcomes consistent with Plan Bay Area goals and targets, including state of good repair, mobility and access, and resiliencysustainability and environmental outcomes. |
| 4. Shared Mobility | Update transportation fringe benefits to support shared economy alternatives to single occupancy vehicle commuting | Work with regional and national partners to defend the commuter benefit under any tax reform proposal. In addition, advocate for expanding pre-tax transportation fringe benefit eligibility to include shared mobility options, such as bike-share and shared ride carpool services. With emerging technologies spurring new mobility services, commuters are increasingly utilizing new alternatives to driving alone. In addition, enhanced data collection is improving verification capability for technology-enabled carpooling. This change would support the now-permanent Bay Area Commuter Benefits program by expanding federal tax incentives to carpool and bike to work, in addition to taking transit and vanpooling. |
| 5. Local/Regional Transportation Funding | Marketplace Fairness Act | Support <i>any</i> renewed efforts to enact the Marketplace Fairness Act (MFA), which seeks to apply state and local sales tax rates to e-commerce transactions. The MFA has the prospect of increasing funding for Bay Area transportation agencies as a result of increased revenue from county-based transportation sales taxes, the Transportation Development Act (TDA) funds — a key source of transit operating funding — and AB 1107, the permanent ½ cent sales tax for BART (applicable in Alameda, San Francisco and Contra Costa counties). |

| 6. Affordable Housing | A. Increase federal affordable housing resources | Consistent with the Plan Bay Area affordable housing funding goal, support ongoing efforts to expand and increase federal affordable housing resources. Targeted resources include the Community Development Block Grant program <i>and</i> low-income housing tax credits, and National Housing Trust Fund. |
|---|---|--|
| | B. Improve existing programs to better support mixed-use, transit-oriented development | Work with local, regional, and national stakeholders to identify and eliminate barriers to mixed-use, affordable housing development around transit. |
| 6. Climate Change | Secure new funding for resilient and sustainable infrastructure | Monitor legislative proposals to combat climate change and engage on efforts that could support the region in improving resiliency and meeting the Plan Bay Area climate goal. |
| 7. Connected Vehicles and Autonomous Vehicles | Monitor and engage in legislation and regulations to facilitate deployment of autonomous vehicles | In partnership with Bay Area cities and counties, the business community, state and national transportation organizations, engage in regulatory and legislative efforts at the federal level related to connected vehicles and autonomous vehicles with the goal of accelerating their mobility, safety and economic benefits. |

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Metropolitan Transportation Commission

375 Beale Street, Suite 800 San Francisco, CA 94105

Legislation Details (With Text)

File #: 15-2064 Version: 1 Name:

Type: Report Status: Informational

File created: 11/3/2016 In control: Legislation Committee

On agenda: 12/9/2016 Final action:

Title: Tom Bulger's Report

Report from MTC's advocate in Washington D.C.

Sponsors:

Indexes:

Code sections:

Attachments: 4a Tom Bulger's DC Report Nov 2016

Date Ver. Action By Action Result

Subject:

Tom Bulger's Report

Report from MTC's advocate in Washington D.C.

Presenter:

Randy Rentschler

Recommended Action:

Information

Attachments

November 2016 Monthly Report for MTC



To: Steve Heminger, Executive Director MTC

From: Tom Bulger, President GRI

Date: November 29, 2016

Re: Monthly Report for November 2016

- Election 2016
- Trump's Infrastructure Ideas
- Congressional Reorganizing
- Continuing Resolution (CR) Extended
- Meetings
- Coming and Going

Election 2016

I confess to entirely missing my election predictions that I offered at the Legislation Committee in mid-October. I did get that the Democrats would only pick up six House seats. Thank goodness I'm not a professional pollster who missed Donald Trump' election and the Senate remaining in Republican majority.

Trump's Infrastructure Ideas

President elect Trump has said on numerous occasions that he wants to shore up the nation's Infrastructure with a \$550 Billion program. How this will be financed is still unclear. Repatriation of off shore U.S. corporate taxes at a lower rate has been floated. An Infrastructure Bank that could make loans is another idea. Finally, the always mentioned Public-Private Partnerships P'3s has surfaced. Stay tuned

Congressional Reorganizing

The House Republicans elected their leadership team on November 15, 2016. Rep. Paul Ryan (Wis.) will remain as the Speaker. Rep. Kevin McCarthy (Calif.) will stay as the Majority Leader. House Democrats delayed their elections until November 30, 2016. Rep. Tim Ryan (OH) challenged Minority Leader Nancy Pelosi (Calif.) for the top Democratic job, but Pelosi prevailed on a 134 to 63 vote and will remain Minority Leader.

Senator Mitch McConnell (Ky.) will be the Majority Leader, and Senator John Cornyn (TX) will stay as the Majority Whip.

Senator Chuck Schumer (N.Y.) was chosen as the Minority Leader. One positive note, Senator Tom Carper (Del.) will take Senator Barbara Boxer's (Calif.) slot as Ranking Democrat on the Senate Environment and Public Works Committee.

Continuing Resolution (CR) Extended

The current CR for FY 2017 expires on December 9, 2016. The new CR will now extend to March 31, 2017. That would nearly be 50 percent of the FY 2017 apportionment. Besides another extension, the United States Department of Transportation (USDOT's) Transportation Investment Generating Economic Recovery, Fastlane, Buses etc. will be delayed because these discretionary programs require a full-year appropriation bill.

Meetings

- I attended a U.S. Conference of Mayors meeting with USDOT officials concerning the FAST Act's five-year Local Empowerment for Accelerating Projects pilot program.
- I attended a. Intelligent Transportation Society of America meeting to meet their new staff.

Coming and Going

The majority of this activity has been associated with trying to discern the President Elect interest in an Infrastructure plan and the USDOT transition team. I can only say that there has not been much to report.

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