

AASHTO Policy Recommendations to Congress and the Administration on Surface Transportation Reauthorization

Approved by the AASHTO Board of Directors
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Hartford, Connecticut

<https://transportation.org/policy/>

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Introduction and Format

Led by the Transportation Policy Forum, this official package of AASHTO's surface transportation reauthorization recommendations to Congress and the Administration was adopted by the Board of Directors on May 15, 2025, in Hartford, Connecticut.

In the form of policy resolutions, AASHTO's reauthorization package is composed of:

- Vision statement and core policy principles;
- Policy recommendations through six mode and subject based resolutions, and;
- More issue background and details are available in the Phase I and Phase II AASHTO policy white papers at <https://transportation.org/policy/>.

AASHTO's 2026 Vision and Core Policy Principles for Reauthorization

Adopted by the AASHTO Board of Directors

April 7, 2025

AASHTO's Vision for Surface Transportation Reauthorization calls for a world-class transportation system that supports and strengthens the nation's transportation infrastructure for a strong economy with improved safety and mobility. Achieving this vision requires the following:

- Federal funding stability: Stable federal funding is necessary to keep the pipeline of planned investments in transportation improvements, maintenance, and operations moving forward; a disruption to this stability will translate into project delays that increase costs resulting in fewer projects per dollar.
- Formula-based federal funding paired with state contributions: This approach to federal funding reflects the proven federal-state commitment that ensures the flexibility necessary for each state to best meet its unique investment needs.
- Current funding levels plus inflation must be the baseline: The baseline for the next bill must grow from current levels and keep up with inflation to advance safety and mobility in a meaningful way.
- User pay principles for all vehicles: Congress should ensure all vehicle types pay their fair share to fund transportation and to sustain the Highway Trust Fund.

AASHTO's Core Policy Principles for Surface Transportation Reauthorization are as follows:

1. Prioritize formula-based federal funding to states

- Congress should prioritize formula funding for core federal highway and transit programs that optimally balance national goals with state and local decision making, including the National Highway Performance Program, Surface Transportation Block Grant Program, Highway Safety Improvement Program, National Highway Freight Program, Congestion Mitigation and Air Quality Improvement, and Bridge Formula Program.
- Congress should strengthen the federally-assisted state administered program by allowing maximum transferability among formula program categories, without federal approval, to ensure the right project can be funded at the right time.
- Congress should increase the formula-based program's share of the Federal-aid Highway Program to 95 percent to support faster and more effective delivery of projects that go through the state and local planning process.
- Congress should consolidate programs that have similar policy objectives and allow states and local governments flexibility to optimize delivery. Such programs include Carbon Reduction, Transportation Alternatives Set-aside, PROTECT, and National Electric Vehicle Infrastructure formula programs.
- In addition to prioritizing formula funding, Congress should reserve discretionary grants only for projects of utmost federal interest.

2. Improve project delivery and program administration by increasing flexibility, simplifying environmental regulations, and reducing program burdens.
 - Congress should eliminate or reduce all federal regulatory and programmatic burdens that are not explicitly required in law including performance measures.
 - Congress should support interested states who want to assume more federal responsibilities and the associated accountability.
 - Congress should direct executive branch agencies to fully implement One Federal Decision to speed up the review timeline for projects and improve accountability for all parties involved in a project.
 - Congress should modernize the NEPA process, rules, and definitions such as “major projects” and “federal actions” to better align federal resource agencies’ review and permitting actions that improve transportation and environmental outcomes while reducing delays.
 - Congress should support grandfathering environmental documents under development from new environmental regulations or listings that occur during the existing review process, such as consideration of updated listing of new endangered species after all consultations were previously completed.
3. Create a more safe, resilient, and efficient future by supporting state DOTs’ ability to harness innovation and technology.
 - Congress should expand eligibility to fund technology and institute procurement flexibility across all modes with an emphasis on the safe and efficient movement of people and goods.
 - Congress should sustain support for research, development, and technology transfer activities that drive innovation for state DOT programs across the country.
 - Congress should call for collaborative industry consideration of governance frameworks and standards for seamless infrastructure and vehicle connectivity.

Policy Resolution PR-01-25
Title: AASHTO Reauthorization Policy on Safety
Adopted by the AASHTO Board of Directors
May 15, 2025

Whereas, 40,900 lives were lost on our nation's roadways in 2023 and fatalities and serious injuries on our nation's transportation facilities continue to represent a wholly unacceptable public health crisis;

Whereas, According to the National Highway Traffic Safety Administration (NHTSA), the total value of societal harm from motor vehicle crashes in 2023 was nearly \$1.85 trillion;

Whereas, In 2023, the AASHTO Board of Directors resolutely and firmly renewed the state departments of transportation (DOTs) commitment to connecting places, communities, and states with a transportation system free of fatalities and serious injuries through a subsequent Safety Action Plan;

Whereas, Increasingly, state DOTs have advanced investing in planning, designing, building, and operating our roads and streets to ensure the safety of all road users;

Whereas, The eligibility of non-infrastructure safety projects is critical to states' efforts to comprehensively address safety issues and to support all elements of the Safe System;

Whereas, Existing Federal Highway Administration (FHWA) and NHTSA regulations do not support effective safety performance management due to lack of appropriate coordination of requirements for target setting methods, timelines, reporting, and consequences of not meeting targets;

Whereas, 23 USC 407 provides protection from discovery in court proceedings for state DOT reports, surveys, data, and other products used for identifying, evaluating, and planning safety enhancements at specific sites or highway safety improvement construction projects yet it does not explicitly apply to other state agencies and local agencies that state DOTs collaborate with, leading to reluctance among partners to share data and information;

Whereas, State and local jurisdictions can face challenges to both invest in and maintain safety countermeasures given their high costs and the need to accommodate changing vehicle designs over time;

Whereas, State DOTs and FHWA have made considerable progress on the implementation of the Manual for Assessing Safety Hardware (MASH); and

Whereas, The Railway-Highway Crossings (Section 130) Program provides funding for the elimination of hazards at railway-highway crossings and inception of the Section 130 Program correlates with a significant decrease in fatalities at railway-highway crossings; now, therefore, be it

Resolved, Surface transportation reauthorization should allow more flexibility for states in their efforts to improve safety—including with the Highway Safety Improvement Program (HSIP), by increasing eligible activities and federal share while eliminating set asides and reducing burdensome program rules and requirements;

Resolved, That Congress should increase HSIP funding in at least the same proportion as other federal highway programs;

Resolved, Congress should modify the federal share for HSIP projects by waiving the match for local road safety projects for local jurisdictions and states and by expanding the list of projects eligible for a 100 percent federal share to include FHWA's list of proven safety countermeasures and HSIP projects identified from safety project identification analyses;

Resolved, That in coordination with the state DOTs and state highway safety offices, FHWA HSIP and NHTSA state highway grant program requirements and timelines should be better aligned to achieve the goal of eliminating fatalities and serious injuries through data-driven analysis while increasing the flexibility for states to address safety in line with their individual State Strategic Highway Safety Plans and Highway Safety Plans;

Resolved, That Congress should address inconsistencies in FHWA and NHTSA performance target requirements to ensure states have the flexibility to set appropriate targets as they work toward minimizing and eliminating fatalities and serious injuries;

Resolved, That Congress should expand the protections afforded by 23 USC 407 to include data in all its forms and the use of information for activities required by FHWA;

Resolved, That Congress should direct USDOT to provide third-party technical reviews of hardware development and crash test results, with a transparent process that will ensure consistency in testing and reporting of test information;

Resolved, That Congress should maintain the eligibility of non-infrastructure safety activities under HSIP at the current 10 percent limit; and

Resolved, Congress should reauthorize the Section 130 Railway-Highway Crossing Program at least at Fiscal Year 2002-2026 levels and maintain the 100 percent federal cost share for projects.

Policy Resolution PR-02-25

Title: AASHTO Reauthorization Policy on Funding, Finance, and Innovation

Adopted by the AASHTO Board of Directors

May 15, 2025

Whereas, The Infrastructure Investment and Jobs Act (IIJA) included a five-year reauthorization of federal highway, highway safety, transit, and rail programs for Fiscal Years 2022 through 2026 with \$567 billion in Highway Trust Fund and General Fund resources provided to the US Department of Transportation (USDOT);

Whereas, The IIJA utilized three kinds of funding to support transportation investment: Highway Trust Fund (HTF) contract authority, advance multiyear supplemental appropriations from the General Fund, and authorization subject to future appropriations from the General Fund;

Whereas, this combination of funding sources allowed the IIJA to provide notable total increases in highway, public transportation, and rail funding for Fiscal Year 2022 through Fiscal Year 2026;

Whereas, The IIJA authorized over \$110 billion for 105 USDOT discretionary grant programs and reduced the share of formula highway funding to states from the HTF from 94 percent to 90 percent;

Whereas, It has taken considerable time for USDOT and its operating administrations to set up new discretionary grant programs and establish parameters for announcement, submission of applications, evaluation, selection, and implementation of selected projects, including 18 months or more between grant selection and execution of the project agreement;

Whereas, Grant applications can cost up to \$300,000 for a single project, and a low likelihood of winning a grant can lead to planning and programming uncertainties and complications;

Whereas, At a time of rapid growth and transformation in technology for transportation, research is critical to the evolution and understanding of solutions, and state DOTs are committed to implementation of innovative transportation technologies and process improvements; and

Whereas, While not a substitute for adequate federal funding, state DOT access to innovative finance tools help leverage and maximize the value of existing funding resources; now, therefore, be it

Resolved, That Congress should build upon the IIJA funding level from the Highway Trust Fund and General Fund at a minimum, and increase funding each year to keep pace with inflation;

Resolved, That Congress should prioritize funding for formula programs, reduce the number of existing discretionary grant programs, and ensure the share of formula highway funding to states from the HTF is at least 95 percent of funding from the Highway Account;

Resolved, That Congress should reserve discretionary grants only for projects of utmost federal interest, and that such programs must be administered with expediency with no additional requirements beyond those in statute, minimize annual changes to discretionary grant program criteria, and streamline discretionary grant programs with similar eligibility and purposes;

Resolved, That Congress should require USDOT to give priority to project readiness in discretionary grant application evaluation and to administer grants to states through the existing framework for formula-funded projects;

Resolved, That Congress should, at a minimum, maintain the current level of funding for research, development, and technology transfer activities that are core to supporting state DOT programs across the country; and

Resolved, That Congress should remove limitations on the use of financing tools by interested project sponsors by increasing the cap on Private Activity Bonds beyond the current \$30 billion and improving the usability of the Transportation Infrastructure Finance and Innovation Act (TIFIA) credit programs.

Policy Resolution PR-03-25
Title: AASHTO Reauthorization Policy on Project Delivery
Adopted by the AASHTO Board of Directors
May 15, 2025

Whereas, Modernizing processes and procedures related to the development and delivery of transportation projects would greatly improve and expedite project delivery, reduce costs, and accelerate delivery of transportation benefits to the public;

Whereas, Notable examples of modernizing project delivery include assignment of federal authorities to states able to handle such responsibilities; allowing states appropriate exemptions from process requirements and/or creating categorical determinations for routine projects with minor impact; programmatic approaches that group multiple similar projects; time limits for completing the federal environmental review and permitting process; synchronizing compliance reviews and inspection cycles for infrastructure; and reducing other unnecessary or burdensome processes and requirements;

Whereas, State departments of transportation (DOTs) remain unwavering in their strong support of the intent of Build America, Buy America (BABA) to expand America's manufacturing capacity, promote domestic jobs, and encourage economic growth;

Whereas, Preventive maintenance is a critical component of a state DOT's program to provide a safe and reliable transportation system while meeting national performance measures on network asset conditions;

Whereas, Restrictions and delays imposed on transportation agencies by railroad operators, either intentionally or unintentionally, significantly affect the timely delivery of transportation projects;

Whereas, The technology associated with and use of unmanned aerial systems (UAS) by state DOTs for tasks such as bridge inspections, slope stability evaluations, traffic monitoring, and emergency recovery has expanded significantly in recent years;

Whereas, Congress, the US Department of Transportation (USDOT) and Federal Highway Administration (FHWA) have made improvements to the National Environmental Policy Act (NEPA) requirements as applied to transportation as part of an ongoing and long-term effort; yet many opportunities remain for federal executive branch agencies to further reduce regulatory burdens wherever possible by removing prescriptive requirements that have developed in the administration of NEPA without diminishing NEPA's intent and purpose;

Whereas, Recent regulatory action by the White House Council on Environmental Quality to remove NEPA implementing regulations represents the ongoing effort to promulgate a new regulatory framework for NEPA reviews; and

Whereas, Streamlining the NEPA process alone will not be successful without also streamlining compliance with other federal environmental laws including the Land and Water Conservation Fund Act (LWCFA), National Flood Insurance Program (NFIP), Endangered Species Act (ESA), Clean Air Act, Clean Water Act, and Section 4(f) of the US Department of Transportation Act of 1966; now, therefore, be it

Resolved, That Congress should modernize the definition of “major federal action” that triggers a NEPA review, as realigning “major federal action” in a way that is commensurate with the amount of federal funding involved can significantly reduce the need for NEPA analysis in the first place for a large number of activities that receive *de minimis* or relatively low amounts of federal funding;

Resolved, That Congress should require all federal agencies to demonstrate tangible progress on implementation of IIJA Section 11301, which codified One Federal Decision and calls for the development of a schedule consistent with an agency average of two years to complete an environmental impact statement and one year to complete an environmental assessment and requires accountability to the public when milestones are missed;

Resolved, That Congress should provide funding and adequate staff capacity that supports co-location of federal environmental regulatory and resource agencies to expedite processing of projects for interested states;

Resolved, That Congress should amend the appropriate law to require any federal agency to apply a categorical exclusion adopted by any other federal agency regardless of the project’s multimodal designation;

Resolved, That expanded use of programmatic agreements between federal agencies would allow for greater coordination and efficiency of emergency relief activities;

Resolved, That Congress should revisit, clarify, and adjust eligibility requirements under the ER Program to allow states the flexibility to provide “economically justifiable” solutions or betterments to damage that increase resiliency and reduce the risk of future and repeated damage;

Resolved, That Congress should require FHWA to modify its bridge and tunnel compliance review cycle to synchronize with the 24-month inspection cycle to allow for an efficient process that allows states time to make modifications based on inspection findings prior to a compliance review;

Resolved, That Congress should require USDOT to apply BABA requirements across modal agencies consistently;

Resolved, That Congress should direct FHWA to expedite the approval process for submitted BABA waiver requests through actions such as but not limited to establishing a process for states to seek waivers with shortened implementation windows, provide an implementation schedule for BABA compliance for items that have historically not been domestically sourced, conduct market research to determine a feasible transition plan to comply with BABA provisions for manufactured products, and require implementation of a simple and consistent process for documentation of BABA certifications such as a national database of certified products;

Resolved, That Congress should require USDOT to establish a specific process and timeline for acquisition of rights-of-way from federal agencies;

Resolved, That Congress should direct USDOT to complete a comprehensive review of the definition and eligibility of preventive maintenance activities as well as develop guidance that clearly articulates the range and limits of eligible activities;

Resolved, That Congress should require USDOT to establish consistent requirements, commitments, templates, and model agreements for standard activities, guidance on the establishment of agreements for more complex activities, and timeframes across all public and private railroad owners to facilitate transportation work within and across railroad rights-of-way, and provide USDOT the authority to enforce those provisions with the railroads;

Resolved, That Congress should provide or expand legislative authority for interested states to voluntarily assume some or all of FHWA's responsibilities including, but not limited to, approval of right-of-way acquisitions, project level air conformity, interstate system access, and change orders, subject to the same legal protections that currently apply to these processes;

Resolved, That Congress should expand flexibility for transportation agencies to use UAS in broader applications and with fewer restrictions when reasonable safety measures can be accommodated to help realize the full potential of this technology for improved project delivery;

Resolved, That Congress should rescind the FAST Act provisions concerning emergency vehicles and heavy-duty tow vehicles or at least allow states to accommodate these vehicles through permitting and other methods;

Resolved, That Congress should provide additional flexibility for preventive maintenance, exempting instances involving no or minimal ground disturbance from detailed environmental analysis and clearing these activities programmatically without separate NEPA documentation;

Resolved, That Congress should ease access to assignment of NEPA for interested states and streamline its renewal process for such assignments;

Resolved, That Congress should direct FHWA and the Federal Transit Administration (FTA) to update their joint environmental planning regulations to allow project sponsors to complete the NEPA process with approval conditioned on making any required air quality conformity or fiscal constraint determination before proceeding to construction;

Resolved, That Congress should establish a pilot program, modeled on FHWA's Special Experimental Project Number 15 (SEP-15) model to allow USDOT modal administrations and federal environmental agencies to waive or otherwise modify their own requirements to develop innovative practices to streamline project delivery with appropriate safeguards;

Resolved, That Congress should amend the LWCFA to create *de minimis* exception for certain 6(f) actions with self-determination by states, provide flexible mitigation measures rather than requiring land acquisition, and limit LWCFA coverage to only the actual investments made with LWCFA funds;

Resolved, That Congress should require the US Fish and Wildlife Service to establish activities-based exemptions from the Endangered Species Act which would avoid the need for Section 7 consultation and incidental-take permits for routine activities in the right-of-way, adopt permanent exceptions to maintenance activities within the right-of-way in designated critical habitat, and grandfather environmental documents under development from new listings that occur during the existing review process;

Resolved, That Congress amend 16 USC 1533 to require USFWS and National Marine Fisheries Service (NMFS) to develop guidelines in conjunction with state DOTs at the time of listing to assist the USFWS, federal action agencies, and project sponsors in making effective determinations and determining appropriate measures to avoid, minimize, and mitigate for impacts on species while minimizing impacts to projects going to construction;

Resolved, That Congress require that when a new National Ambient Air Quality Standard is established for a pollutant, transportation agencies only need to conform to the most recent standard for that pollutant and require that initial transportation conformity does not apply until six months after the Environmental Protection Agency approves State Implementation Plan motor vehicle emissions requirements; and

Resolved, That Congress should remove the requirement for additional federal agency review for individual Section 4(f) evaluations.

Policy Resolution PR-04-25

Title: AASHTO Reauthorization Policy on Federal-Aid Highway Program

Adopted by the AASHTO Board of Directors

May 15, 2025

Whereas, The latest edition of the US Department of Transportation's (USDOT) Conditions and Performance report found a backlog of highway and bridge investment of approximately \$830 billion to achieve a state of good repair without significant capacity enhancements;

Whereas, while the Infrastructure Investment and Jobs Act (IIJA) included a meaningful increase in nominal funding for highways and bridges, the Federal Highway Administration (FHWA) highway cost construction index rose over 70 percent from 2021 through 2024, offsetting the value of increased funding levels included in the IIJA;

Whereas, The foundation of the federally assisted state administered Federal-aid Highway Program (FAHP) is the formula dollars supporting state and local investment decisions and this program has built the backbone of the network of roads and bridges that drive our national economy;

Whereas, This nation-building program, starting with the Federal-aid Roads Act of 1916, has a decades-long record of accomplishment in supporting long-term capital improvements across the United States, enabling funds to be distributed to states in a stable and predictable manner, and allowing the federal program to efficiently deliver projects identified and prioritized through the statewide and metropolitan planning processes;

Whereas, Maintaining this core program structure remains the optimal approach for the next surface transportation reauthorization legislation to serve all corners of our country by improving mobility and quality of life in urban, suburban, and rural areas;

Whereas, State departments of transportation (DOTs) appreciate the flexibility correctly provided in the federal program that supports the ability of states to select the right mix of projects to meet the unique investment needs of their own states as identified in their public-engagement driven strategic planning processes and believe there is opportunity to make every federal dollar go even further by increasing flexibility;

Whereas, To ensure the most effective use of federal funding, maximum transferability between the various federal programs is necessary to ensure the balance and alignment of federal, state, and local transportation goals; and

Whereas, The growth in slower spending discretionary grants funded under the Highway Trust Fund's allocated program outside of the formula program for states and the obligation limitation set aside for allocated programs has perversely resulted in states seeing less obligation limitation for formula programs at the beginning of each fiscal year than in the prior year; now, therefore, be it

Resolved, That Congress should provide maximum flexibility and transferability between FAHP funding categories by increasing the current 50 percent transferability limit among all programs;

Resolved, That Congress should refrain from adding new FAHP programs in the next surface transportation reauthorization bill; and, instead reduce programs by consolidating non-core formula programs that have similar policy objectives and broadening eligibility among fewer programs;

Resolved, That Congress should expand eligibility in federal formula programs to include transportation operations investments;

Resolved, That Congress should expand eligibility in federal formula programs to include research and deployment of technology solutions including digital infrastructure and automated and connected vehicles;

Resolved, That Congress should eliminate limitations on state spending on National Highway Freight Network routes, expand the Primary Highway Freight System to include all National Highway System (NHS) roadways regardless of how much freight funding a state receives, remove restrictions on state authority to add mileage to national freight networks, and add eligibility to use funds on any portion of a state's multimodal freight network as defined in a state's freight plan;

Resolved, That Congress should support eligibility for construction, operation, and maintenance expenses for truck parking facilities within existing formula funding programs;

Resolved, That Congress should revisit the Stewardship and Oversight Agreement between the Federal Highway Administration and state departments of transportation to allow for more delegation of duties to the states;

Resolved, That Congress should increase Emergency Relief Program funding above the \$100 million currently authorized annually from the Highway Trust Fund in a way that does not take away funds that otherwise would be made available for surface transportation;

Resolved, That Congress should limit the share of funding for, and the number of, discretionary programs funded for highway programs, whether through the Highway Trust Fund or otherwise;

Resolved, That making a higher percentage of overall highway program contract authority available to the states by formula and providing clear authority for additional flexibility to transfer contract authority between formula programs would better allow for the absorption of obligation limitation through August Redistribution;

Resolved, That transportation funding apportionments or other distributions should not be contingent on achieving performance targets;

Resolved, In order to advance research findings into implementable practice much more quickly, Congress should support increased funding flexibility for state DOTs to administer cooperative research studies funded under the State Planning and Research Program;

Resolved, That Congress should reduce the burden associated with performance measures by requiring state DOTs to only report on the performance of the assets they own and maintain, removing required reporting on low volume roadways, eliminating the requirement to report “other principal arterial” routes, and eliminating unnecessary or extraneous data collection and reporting requirements; and

Resolved, That Congress should enact reforms that provide more flexibility to states in undertaking asset management including eliminating NHS bridge and Interstate System pavement asset management penalties, which serve to encourage inefficient investment in the worst assets first.

Policy Resolution PR-05-25
Title: AASHTO Reauthorization Policy on Public Transportation
Adopted by the AASHTO Board of Directors
May 15, 2025

Whereas, The latest edition of the US Department of Transportation's (USDOT) Conditions and Performance report found a backlog of public transit investment of approximately \$101 billion;

Whereas, Public transportation significantly contributes to national goals and policies in support of global economic competitiveness, congestion mitigation, and emergency preparedness;

Whereas, The Infrastructure Investment and Jobs Act (IIJA) authorized up to \$108 billion for transit, including \$69.9 billion through the Mass Transit Account of the Highway Trust Fund and \$38.1 billion in multi-year supplemental appropriations for Fiscal Years 2022 through 2026; and

Whereas, State departments of transportation (DOTs) play a vital role in implementing federal transit programs and formula-based funding is the most effective means to translate federal investment to regional and community public transportation projects; now, therefore, be it

Resolved, That proportional to increases in federal highway funding, federal funding for public transportation should be strengthened and expanded through increases in formula-based program funding from the Mass Transit Account of the Highway Trust Fund plus commensurate proportional increases for General Fund transit programs, all of which support both rural and urban areas to enhance regional and national economic competitiveness and community vitality;

Resolved, That Congress should prioritize increases in formula-based program funding, including funding to address bus and rail modernization and rural transit, while also providing funding for the Capital Investment Grants Program from the General Fund;

Resolved, That Congress should provide increased funding to the overall Buses and Bus Facilities Program (Section 5339) and that within the program, allocate at least 75 percent to the formula program and at most 25 percent to the discretionary program and that within the formula distribution of Section 5339 funds, an increased base amount should be allocated to each state;

Resolved, That Congress should make 10 percent of Section 5339(a) formula funds eligible for administrative expenses, to align eligibility with other Federal Transit Administration (FTA) formula programs and that within the Section 5339(b) discretionary programs, Congress should maintain the rural project set-aside at no less than 15 percent of the amount made available in a fiscal year;

Resolved, That Congress should raise the federal share of operating assistance for federal-aid eligible public transit projects to no greater than 80 percent plus the federal land's adjustment, allowing for flexibility at the state level to determine local match and maintain the federal share for federal-aid eligible capital projects at 80 percent plus the federal land's adjustment;

Resolved, That Congress should allow direct recipients to retain 100 percent of funds for the monetary value of disposed transit equipment so long as the direct recipient certifies that the funds will be used solely for public transportation within the state;

Resolved, That establishment of a risk-based waiver approach to the requirement and approval process for routine and recurring activities submitted by state DOTs to FTA would streamline the process;

Resolved, That Congress should provide contracting states the flexibility to prioritize vehicle and equipment needs under Section 3019 and clarify that innovative technology and equipment are considered as part of the definition of “related equipment” for the purpose of state cooperative procurement contracts;

Resolved, That Congress should codify the current Public Transportation Agency Safety Plan exemption for Section 5310 and 5311-only providers and provide funding to support implementation for systems that receive funding from the Urbanized Area Formula Program (49 USC 5307) and have 100 or fewer vehicles in peak revenue service;

Resolved, That Congress should encourage identified federal agencies to fully participate in the Coordinating Council on Access and Mobility and work with FTA and state DOTs on activities identified in the council’s strategic plan;

Resolved, That Congress should direct FTA to revise the National Transit Database Manual section defining commuter bus, rail, and ferry service versus intercity bus, rail, and ferry service to rescind the recent policy change on this topic and to also rescind other recently included new reporting requirements in this section;

Resolved, That Congress should establish a new pilot program that requires Buy America certification at the time of Altoona Test certification to establish a single certification process in which the manufacturer demonstrates compliance with both Buy America and Altoona Test requirements to FTA;

Resolved, That Congress should maintain funding for the FTA Low or No Bus Emission Program at no less than the IIJA funding level; and

Resolved, That Congress should assist states with ferry boat services by either expanding formula funding eligibilities or through other funding mechanisms.

Policy Resolution PR-06-25
Title: AASHTO Reauthorization Policy on Rail Transportation
Adopted by the AASHTO Board of Directors
May 15, 2025

Whereas, The Infrastructure Investment and Jobs Act (IIJA) contains a five-year reauthorization of rail programs with funding provided by the General Fund;

Whereas, The IIJA authorizes \$66 billion for rail programs for Fiscal Years 2022 through 2026 and, within the funding provided for rail programs in the IIJA, \$18 billion is available for costs directly related to expanding passenger service to new corridors;

Whereas, The growth and development of intercity passenger rail is part of an integrated national transportation network, and the continuation of a strong federal-state partnership is essential to delivering passenger rail services;

Whereas, State departments of transportation (DOTs) play a significant role in rail transportation, delivering a variety of passenger rail services including Amtrak state-supported routes, the Northeast Corridor service, and long-distance service with a commitment to safety, service quality, and reliability and are the primary agencies responsible for implementing new or enhanced intercity passenger rail service;

Whereas, State departments of transportation coordinate with the Class I railroads, regional freight railroads, and short line railroads to deliver an efficient national freight rail system; and

Whereas, States and political subdivisions of states who sponsor but do not operate intercity passenger rail services are not railroads nor are they railroad carriers; now, therefore, be it

Resolved, That Section 209 of the Passenger Rail Investment and Improvement Act of 2008 be clarified to exempt state and political subdivisions or states who sponsor but do not operate intercity passenger rail services from being classified as railroads or railroad carriers and thus subject to System Safety Program regulations intended for railroad operators;

Resolved, That Congress should reauthorize funding for the Amtrak National Network and the Amtrak Northeast Corridor at no less than IIJA funding levels to continue efficient and effective passenger rail mobility, consider indexing authorized levels to inflation, and provide state eligibility for capital and operating assistance;

Resolved, That Congress should reauthorize all aspects of the Consolidated Rail Infrastructure and Safety Improvement Grant Program at no less than IIJA funding levels, maintain the current federal cost share, and set aside dedicated funding to each state for planning and project delivery for eligible activities under the program;

Resolved, That Congress should reauthorize the Railroad Crossing Elimination Grant program at no less than IIJA funding levels, maintain the current federal cost share, and continue efforts to modernize National Environmental Protection Act (NEPA) procedures for this and other rail programs;

Resolved, That Congress should reauthorize the Federal State Partnership for Intercity Passenger Northeast Corridor and Federal State Partnership for Intercity Passenger Rail National Grant Programs at no less than IIJA funding levels, maintain the current federal cost share, remove the 22905(c) letter requirement when the operating railroad is not the owner of the rail asset but has an existing contract that includes maintenance responsibilities for this and other rail programs, and clarify that a 22905(c) letter is only required for construction activities;

Resolved, That Congress should reauthorize the Corridor ID Grant Program at no less than IIJA funding levels and maintain the current federal cost share;

Resolved, That Congress should reauthorize the Restoration Enhancement Grant Program at no less than IIJA funding levels, maintain the current federal cost share, and clarify prioritization for projects selected through the Corridor ID Program;

Resolved, That Congress should reauthorize the Interstate Rail Compact Grant Program at no less than IIJA funding levels, maintain the current federal cost share, and add eligibility for a state or group of states;

Resolved, That Congress should require that Federal Railroad Administration (FRA), when entering into an agreement with a state to conduct rail inspections, include bridge inspections if requested by the state;

Resolved, That Congress should instruct the Government Accountability Office to conduct a study to determine whether a pooled insurance arrangement for public entities supporting passenger rail could be implemented via interstate compact or federal grant, with the identification of a trustee for funds generated for disbursement in the event of court-ordered liability;

Resolved, That Congress should reauthorize the State-Amtrak Intercity Passenger Rail Committee and Northeast Corridor Commission, and Operation Lifesaver, Inc. at no less than IIJA funding levels; and

Resolved, That Congress should reauthorize the Next Generation Equipment Pool Committee at \$1 million per year and establish a percentage set-aside for the Next Generation Equipment Pool Committee within FRA capital grants awarded for the acquisition of passenger equipment.