

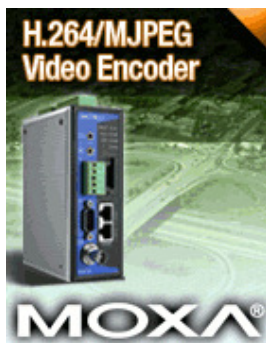
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feature article

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## A long and winding road

*Pete Goldin talks with [ITS America](#) about the continuing efforts of US Congress to finalise a transportation reauthorisation bill and how this will impact the ITS industry*

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Looking at the state of the US surface transportation reauthorisation bill, one might assume that this critical legislation is mired in endless debate and partisan politics.

While this may be true, recent breakthroughs indicate that US Congress is now closer to finalising a new reauthorisation bill than it has been in years.

The last reauthorisation bill originally expired at the end of September 2009 and the US transportation system has been operating under a series of temporary extensions ever since.

The current extension expires 31 March 2012. The question continues to be whether Congress will agree on a permanent bill by that deadline, or resort to yet another reiteration.

The temporary measures have provided funds to allow the transportation system to continue operating, but the reauthorisation bill is more than just a mechanism for funding.

"The goal is to enact meaningful policy reforms, as well as to stabilise the highway trust fund and find a more sustainable funding source for the future of transportation," says ITS America's vice president for government and public affairs Paul Feenstra.

In November, the Senate took a major step towards resolving the reauthorisation dilemma by introducing its version of the bill. The Senate Transportation Reauthorisation Bill - entitled Moving Ahead for Progress in the 21st Century (MAP-21) - was introduced on November 7 by the Senate Environment & Public Works (EPW) Committee.

This bipartisan proposal maintains surface transportation funding at current levels plus inflation - approximately \$109 billion - for two years. The primary challenge of MAP-21 is that funding is still \$12Bn short.

"The Senate is looking at a number of options to fund the missing \$12Bn, but they have not announced specifically where that money will come from," Feenstra says.

### The ITS factor

From an ITS industry perspective, MAP-21 is a significant step in the right direction. In a departure from the current transportation bill, which only dedicates ITS funding for research, the Senate proposal provides funding specifically for ITS deployment.

MAP-21 includes a new System Operations & ITS Deployment Grant Programme, modelled after the Smart Technologies for Communities Act introduced by the Congressional ITS Caucus, and developed in collaboration with ITS America.

The programme would provide \$100M in grants over two years to fund the deployment of ITS technologies to measure and improve transportation system performance; reduce traffic congestion; minimize traffic fatalities and injuries; enhance mobility of people and goods; improve traveller information and services; and optimise existing roadway capacity.

The programme would also establish new levels of accountability by requiring grant recipients to measure and improve the performance of their transportation systems. Transitioning to a performance based system - making state and local agencies accountable for improving safety, reducing traffic congestion and meeting other performance goals - is a key goal of ITS America in the reauthorisation process. ITS technology can be a vital support to meet these goals and to measure performance.

"The ITS deployment grant programme is a key victory for the ITS industry," Feenstra says, "but I think the overall direction of the bill - in terms of transitioning to a more performance based system - is going to do more than anything else to incentivise local agencies to take a look at ITS solutions." In addition to the ITS deployment grant, MAP-21 designates ITS projects as eligible expenditures under many other programmes including those of national

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highway performance, transportation mobility, national freight, highway safety improvement, congestion mitigation and air quality, TIFIA loan and 'projects of national and regional significance'. MAP-21 also adds consideration of ITS technologies to the statewide and metropolitan planning process.

"The Senate bill sets up a very solid framework for states and cities to begin using ITS technology more effectively than they have been," Feenstra adds. "And for those already using the technology, the bill makes it easier for them to do so." One downside of MAP-21 is a reduction of the ITS research budget by \$10M, down to \$100M per year. To make matters worse, the new ITS deployment grant would compete directly with the ITS research programme for funding.

"While we are very supportive of the deployment grant initiative, we do not think it should compete with the ITS research budget," Feenstra stresses. "So we are working with the Senate and House to look at alternatives to ensure that ITS deployments do not take away from vital ITS research efforts."

### Coming together

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MAP-21 is not the final bill, however. It is only one side of the coin. The House of Representatives is still working on its own version. On November 17, House Speaker John Boehner announced that the House will be presenting a five year reauthorisation bill, which is expected to be unveiled in early December.

The major challenge with a longer term bill is the funding, which is why the Senate chose a two year bill. The House's five year alternative will be much more challenging to fund. Early reports of the House proposal indicate that funding will be addressed by proceeds from expanded oil and gas drilling.

Once the Senate and the House approve their own versions of the bills, then the real challenge must be faced: integrating these two separate proposals into one final document. A conference committee with members from both the House and Senate will be formed to combine the two bills. Then the new integrated bill will go back to the House and Senate for a final vote before the final legislation is sent to the President to be signed into law.

During the process of integrating the two bills, Congress will also consider a third proposal, from the US Department of Transportation (DoT). Representing the Obama administration's expectations, the DoT version of the bill was never formally introduced, but leaked to the public, presumably to influence the reauthorisation process.

"Typically you will see a fair amount of the DoT bill showing up in the House or Senate versions and probably the final version of the bill, but there is no obligation to incorporate the DoT bill," Feenstra explains. "Keep in mind that the President ultimately has to sign the bill, however, so the administration does have some sway over what ends up in the final bill."

### Long road ahead

Feenstra predicts that both the House and Senate will approve their own versions of the reauthorisation bill by the end of this year and then get to work in January on developing the final version, to meet the March 31 deadline.

The greatest concern for the ITS industry is whether the pro- ITS provisions will be retained throughout the entire process over the next four months. "We are optimistic that the ITS deployment grant programme will stay in the bill in some form," Feenstra says. "This initiative has received a lot of support in the Senate, as well as the House." ITS America is hopeful that the House version of the reauthorisation bill will contain something similar to the grant programme. According to Feenstra, House Transportation & Infrastructure Committee members recognise that ITS is an essential support for agencies that aim to "do more with less" and consequently he feels confident that there will be strong ITS provisions in the House proposal.

"The Congressional ITS Caucus has come out strongly in favour of this provision being included and we know the House leadership is supportive, so we believe there will be strong language in the House bill encouraging deployment of ITS, although it is still unclear exactly what that will look like," Feenstra adds, also pointing out that ITS America works closely with the caucus to advance the ITS industry.

Providing some insight into what the House will deliver, Transportation & Infrastructure Committee staff have said the bill will clarify that states have the flexibility to use almost any of their formula dollars for ITS deployment projects and that the bill will include provisions to encourage states to invest in ITS and other low cost projects aimed at alleviating congestion.

On the other hand, the House stated very clearly that there would be no new funding for new programmes or initiatives in the bill, which may impact the ITS deployment grants, but Feenstra says that the House's energy related funding sources may keep the programme alive.

"Next year is going to be tough," Feenstra warns. "It is a presidential election year. There are going to be a lot of political considerations and electioneers often make it tough to pass any meaningful legislation. So even though we are close to having bills introduced in both chambers," he concludes, "we still have a very long road ahead."

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