

AMERICAN ASSOCIATION
OF STATE HIGHWAY AND
TRANSPORTATION OFFICIALS

AASHTO

TESTIMONY OF

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REGARDING

**Aligning Federal Surface Transportation
Policy to Meet 21st Century Needs**

BEFORE THE

**Subcommittee on Highways and Transit of
the Committee on Transportation and Infrastructure
of the United State House of Representatives**

ON

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INTRODUCTION

Chairman Norton, Ranking Member Davis, and Members of the Subcommittee, thank you for the opportunity to provide the perspective of the nation's state departments of transportation on aligning federal surface transportation policy to meet twenty-first century needs.

My name is Roger Millar, and I serve as Secretary of the Washington State Department of Transportation (WSDOT), and as a member of the Board of Directors and Chair of the Council on Public Transportation of the American Association of State Highway and Transportation Officials (AASHTO). Today it is my honor to testify on behalf of the great State of Washington and AASHTO, which represents the transportation departments of all 50 States, Washington, DC, and Puerto Rico.

I joined WSDOT as Deputy Secretary in October 2015 and was appointed Secretary of Transportation in August 2016. I've spent over 40 years working in the transportation industry at the local and state level and in the private sector. The prominent theme that has run through my career has been planning and implementing transportation systems that are not ends unto themselves; but rather the means toward economic vitality, environmental stewardship, social equity, public health, and aesthetic quality.

I oversee an agency that is the steward of Washington State's multimodal transportation system and responsible for ensuring that people and goods move safely and efficiently. In addition to building, maintaining, and operating the state highway system, WSDOT operates the largest ferry system in the nation, sponsors the Amtrak Cascades intercity passenger rail service, owns and operates 16 airports, and owns a 300-mile short-line freight rail system. We work in partnership with others to maintain and improve local roads, railroads and airports, as well as to support mobility options such as public transportation, bicycle, and pedestrian programs.

Having this important conversation on the future direction of federal surface transportation policy could not be timelier in light of the discussion around an infrastructure package and pending reauthorization of the Fixing America's Surface Transportation (FAST) Act. Given the ever-increasing pace of change in our world—through technological advances, workforce challenges, demographic changes, environmental instability, and economic uncertainty—there is tremendous opportunity to make federal policy more proactive, flexible, and adaptable.

State DOTs have already taken significant action in modernizing our policy and technical development at AASHTO, with our Board of Directors approving a reorganization of the AASHTO committee structure in 2016. This was the culmination of an 18-month effort led by a committee of state DOT CEOs and senior DOT officials. This modernized committee structure is

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inclusive of all disciplines, addresses state-identified priorities and emerging issues, and is intended to be more efficient and nimbler in its decision-making.

Perhaps the hallmark of this change is putting all modes of transportation on equal footing when it comes to policymaking. AASHTO now formulates transportation policy through its six modal councils—active transportation, aviation, highways and streets, public transportation that I now chair, rail transportation, and water transportation—plus a special committee on freight, which I chaired until recently, all of which support the new AASHTO Transportation Policy Forum as the holistic policymaking body for the Association.

My remarks today center around the following key points:

- Strengthening the Federal/State/local partnership model
 - The current federal program structure for highway and transit programs must be preserved.
 - Congress needs to enact a permanent revenue solution for the Highway Trust Fund.
- Improving the delivery of projects to save time and money
 - States are eager to find ways to improve the delivery of projects to save time and money, while properly engaging diverse stakeholders in program and project development, upholding environmental safeguards and providing resiliency.
- Utilizing innovation to address mobility challenges, including safety, state of good repair, congestion, and universal access
 - Federal programs should support state DOTs that take innovative approaches to transportation system management, demand management, and improved mobility.
 - The federal program must support and provide sufficient flexibility to allow state DOTs to harness innovation and technology.
- Supporting good jobs and a qualified transportation workforce
 - Congress should continue to fund programs that support the development of a diverse and robust workforce suitable for staffing the development and delivery of twenty-first century transportation programs.

As you examine what works well and what doesn't, I urge you to make sure that policies that work effectively are not discarded or nullified in the name of major reform.

STRENGTHENING THE FEDERAL/STATE/LOCAL PARTNERSHIP MODEL

The current federal program structure for highway and transit programs must be preserved.

The state DOTs have the utmost appreciation for your Subcommittee's leadership, along with your House and Senate peers in partner committees to shepherd the FAST Act in December

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2015. This legislation has ensured much-needed funding stability in the federally-supported passenger rail, freight, safety, highway, and transit programs through 2020.

To further build on the federal surface transportation's solid foundation, we believe that it is time for all transportation stakeholders—led by Congress and the President—to begin work on reauthorizing the FAST Act now. We are extremely grateful for the work of this Subcommittee in that regard. We need to ensure a smooth transition upon the FAST Act's expiration on September 30, 2020, without the need for disruptive extensions of the program.

As part of the work of AASHTO's Transportation Policy Forum, we are currently in the process of gathering expert input from our wide range of technical and modal committees comprising leaders from all state DOTs. We're also seeking our industry partners' input during this process prior to our formal adoption later next year, in order to maximize the inclusivity of perspectives in our policy recommendations to come.

As FAST Act reauthorization gets under way, AASHTO urges Congress to retain the current highway and transit program framework as the core foundation on which modernizing policy improvements can be made. This means not only retaining the current Mass Transit Account within the Highway Trust Fund (HTF) and their relative distributions of receipts in place since 1983, but also maintaining the current maximum non-federal match ratios for both highway and transit programs. Furthermore, we strongly recommend that federal funds continue to be provided through the existing formula-based program structure directly to states rather than looking at untested new approaches that will require more time and oversight.

For over one hundred years, we as a nation have enjoyed the fruits of the federal government's highly successful partnership with state DOTs to build and maintain our surface transportation system. Beginning with the Federal-aid Road Act of 1916 establishing the foundation of a federally-funded, state-administered highway program that has been well-suited to a growing and geographically diverse nation like ours, federal investment in all modes of transportation have allowed states and their local partners to fund a wide range of projects that serve the interest of the nation as a whole.

The federal surface transportation program's inherent flexibility defers project selection and investment decision-making to state and local governments. And these important decisions are based on extensive public input from local communities and businesses to address their unique needs and ensure goods get access to a larger market than ever before. Formula programs remain the optimal approach to serve all corners of our country, improving mobility and quality of life in urban, suburban, and rural areas.

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Congress needs to enact a permanent revenue solution for the Highway Trust Fund.

I'm sure you have already heard these numbers, but they bear repeating. The investment backlog for transportation infrastructure continues to increase—reaching \$836 billion for highways and bridges and \$122 billion for transit according to the US Department of Transportation's (USDOT) *2015 Conditions and Performance* report. Similarly, the American Society of Civil Engineers, upon whose Board of Direction I sit, has identified a \$1.1 trillion funding gap for surface transportation between 2016 and 2025. It is also telling to look where our nation stands relative to global peers in infrastructure quality and economic competitiveness. The *2018 Global Competitiveness Report* rankings from the World Economic Forum on infrastructure quality has listed the United States at just ninth place overall.

Yet at the same time, in order to simply maintain the current HTF spending levels adjusted for inflation after the FAST Act, Congress will need to identify \$114 billion in additional HTF receipts to support a six-year bill through 2026. All the while the purchasing power of HTF revenues has declined substantially mainly due to the flat, per-gallon motor fuel taxes that have not been adjusted since 1993, losing over half of its value in the last quarter century. Doubling the federal gas tax today would bring us back the purchasing power of that tax in 1993. Catching up to late-twentieth century federal investment levels will not keep the United States competitive moving forward into the twenty-first century.

These dire trends mean that absent a revenue fix by 2020, the HTF is expected to experience a significant cash shortfall leading to an estimated 51 percent drop in federal highway obligations from the year before, or from \$47 billion to \$23 billion, and a zeroing out of federal obligations from the Mass Transit Account in 2021 and 2022. In the past, such similar shortfall situations have led to the possibility of a reduction in federal reimbursements to states on existing obligations, leading to serious cash flow problems for states and project delays. Simply put, this is a devastating scenario that we must do all we can to avoid.

In addition to the massive cash shortfall issue facing the HTF, the FAST Act included a \$7.6 billion rescission of unobligated highway contract authority to take effect on July 1, 2020, as a means to bring the spending baseline back to the 2015 level on paper. Unfortunately, the contract authority rescission is a budgetary artifice that at best impedes the flexibility of state DOTs to meet their individual infrastructure needs by disrupting transportation planning and timely delivery of projects; and at worst, the cumulative effect of rescissions—with over \$22 billion enacted since 2002—can wipe out the entire balance of contract authority held by states which will lead to hard funding cuts to federal dollars authorized under the FAST Act.

We in the transportation industry do everything in our power to build important projects as fast as possible, but due to the nature of large capital programs, the lack of stable, predictable funding from the HTF makes it nearly impossible for state DOTs to plan for large projects that need a reliable flow of funding over multiple years. Transportation projects large and small

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around the country will be put at risk near the expiration of the FAST Act if Congress fails to address both the impending HTF shortfall and repeal of the FAST Act rescission.

Such delays have serious economic consequences both in the short- and long-term, as these projects employ thousands of companies and hundreds of thousands of workers every year. More importantly, these projects are what connect the traveling public to the many facets of their lives. Once completed, they help stimulate economic growth and improve quality of life in every community where they are built.

Federal funding currently covers approximately twenty percent of WSDOT's budget. We use the vast majority of our federal funds to preserve the National Highway System. While the federal fuel tax has not been raised since 1993, Washington state has increased its Motor Vehicle Fuel Tax by over 26 cents since 2003 to a total of 49.4 cents. While our state legislature has stepped up to the plate to address the need for transportation investment in Washington, those investments have not adequately provided for the preservation of our roads, bridges, ferries, train sets, and aviation infrastructure. Our current annual unfunded preservation need is approximately \$700 million.

Predictable funding from the federal government to maintain the National Highway System in a state of good repair is necessary if we are to compete effectively in a global economy. Washington is one of the most trade-centric states in the nation, with almost \$600 billion in annual trade-related economic activity. Preserving our transportation system in a state of good repair and managing the capacity of that system effectively are essential to moving products to market. In the next decade, with current funding levels, we are likely to see bridges closed, speed limits reduced, and routes not adequately preserved, significantly impacting the ability of businesses to compete globally.

Based on FY 2018 ending balances, the Federal Highway Administration (FHWA) projects Washington State will be faced with a \$117 million rescission in 2020. If rescinded, we would be left with no apportionment balances at the end of the FAST Act.

We must take advantage of the short window of time we have right now to head off the dual threat of a HTF funding cliff and a large rescission in 2020. If we miss this opportunity for action, the extremely costly and disruptive scenario for transportation programs all around the country will become all but inevitable.

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IMPROVING THE DELIVERY OF PROJECTS TO SAVE TIME AND MONEY

States are eager to find ways to improve the delivery of projects to save time and money, while properly engaging diverse stakeholders in program and project development, upholding environmental safeguards and providing resiliency.

Over the past several decades, significant progress has been made toward the goal of improving the delivery of transportation projects. This progress has been spurred by streamlining measures enacted in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Moving Ahead for Progress in the 21st Century Act (MAP-21), and the Fixing America's Surface Transportation (FAST) Act.

Several of the streamlining measures involve the National Environmental Policy Act (NEPA) and project delivery. Successful measures that WSDOT uses every day:

- New and revised NEPA categorical exclusions (CEs) to expedite routine activities and projects that don't impact the environment;
- Expanded programmatic agreements with FHWA; and
- Combined documents that all federal agencies can use for their decision making.

In Washington, we've benefited from each of these improvements. Because the NEPA process is scalable, the vast majority (94 percent) of work in our state is excluded from NEPA through the use of CEs. Since 2005, approximately 90 percent of WSDOT capital projects have been delivered on or ahead of schedule and on or under budget.

As you know, NEPA is not a permit; rather it is a broad, transparent environmental review and decision-making process. Our biggest multimodal projects do require detailed analysis under NEPA. Even for these large projects, we find the robust community and agency involvement up front leads to better outcomes, adherence to budget and schedule, and broader acceptance and support.

Each state DOT has its own experience. Speaking on behalf of all AASHTO members, I can tell you that even with the improvements to USDOT's NEPA processes, many feel it still takes too long and is too costly.

AASHTO has outlined the following ideas for future streamlining:

- Continue to expand programmatic agreements within USDOT and with the federal resource and regulatory agencies;
- Extend the use of USDOT agency NEPA CE's to other federal agencies when they are engaged in transportation related activities; and
- Make the current NEPA assignment more efficient for those states who are able to use that option.

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Multiple laws and regulations are considered in the NEPA process, or as we say they fall “under the NEPA umbrella.” To achieve further streamlining, focus must be paid to not only making continued improvement in the NEPA process itself, but also in making the NEPA process work more efficiently with other federal requirements, all while remaining responsible stewards of taxpayer resources and both human and natural environments.

To make the NEPA process work more smoothly with other substantive environmental requirements, USDOT and state DOTs should work with Federal environmental agencies to develop programmatic approaches to streamline environmental processes.

In Washington, we have a great example of approach. In January of this year, we started implementing a new programmatic agreement for Section 106 of the National Historic Preservation Act. Our partners on this are FHWA and its Western Federal Lands office, Federal Transit Administration (FTA), the Advisory Council on Historic Preservation, and the state historic preservation office in consultation with 34 federally-recognized tribes. As a result, my staff is able to undertake Section 106 compliance on behalf of FHWA and FTA.

Programmatic agreements greatly reduce the time and cost needed to meet environmental requirements, while maintaining resource protection and consultation. But development of these agreements requires time and resources. To ensure success in developing programmatic agreements, it is essential that adequate federal resources be dedicated to this effort, both within the USDOT and within federal resource agency budgets.

Under current NEPA regulations, each federal agency adopts its own list of CEs applicable to actions that the agency carries out. If multiple federal agency approvals are needed for the same project, and only one agency has an applicable CE, then that agency can issue a CE, but the other federal agencies must prepare an Environmental Assessment, slowing down the process unnecessarily. While an existing law allows any USDOT agency to use any other USDOT’s agency’s CE, this authority has two important limitations: (1) applies only to USDOT multimodal projects, and (2) it does not apply to agencies outside the USDOT. Allowing CEs to be interchangeable between federal agencies could significantly streamline projects. I have two scenarios where this would expedite and simplify approvals while still protecting the environment.

- First scenario: If the US Army Corps of Engineers is the only federal agency involved in a state funded transportation project (bridge replacement), allow the Corps to apply a CE from FHWA’s CE list.
- Another scenario: If there are multiple federal approvals needed for a project, allow the other agencies to defer to the NEPA lead. At present, if a roadway project requires a new lease or land purchase from a federal land management agency (National Park Service, US Forest Service, BLM), that agency can’t use FHWA’s CEs. Instead, they have to do an environmental assessment for the property action.

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Regarding the formal assignment of NEPA, I need to point out that this voluntary program is not an option for all state DOTs. This is due to state laws and/or different experiences in each state DOT. That said, AASHTO members support the effort to improve the program for those states that both desire them and are willing to be held responsible for federal authorities.

Currently, Alaska, California, Florida, Ohio, Texas, and Utah are participating in the NEPA assignment program made available to all states in MAP-21. Based on their collective experience, specific changes that will make this program both more efficient and attractive to interested states include:

- Simplifying the assignment application and audit processes;
- Allowing states to assume all of the responsibilities of the USDOT with respect to engineering and other activities related to environmental review, consultation, permitting or other action required under any federal environmental law for project review or approval;
- Allowing states in this program to be solely responsible for the development of their policies, guidance and procedures so long as federal laws and the USDOT requirements and guidance are met;
- Removing the pre-condition for a state to have taken on NEPA assignment for highways prior to being able to take on NEPA assignment for rail and transit projects; and
- Adding NEPA assignment authority to Title 49 to allow states to assume the federal NEPA responsibilities of any USDOT modal administration.

For state DOT's without NEPA assignment, like WSDOT, we have successfully negotiated programmatic NEPA agreements. These agreements allow the state DOT to carry out routine interagency coordination tasks, while maintaining regular communication with USDOT. USDOT retains responsibility for all final decisions. Often these programmatic agreements eliminate confusion, redundancy and frees up USDOT's limited staff resources. We view this as a model for other FHWA approvals.

AASHTO has identified a number of areas where Congress could provide states with additional assignment authority to make determinations in lieu of seeking FHWA approval. Examples include federal funds obligation management, project agreements, right-of-way acquisition, preventive maintenance, repayment of preliminary engineering and right-of-way costs, and credits toward non-federal share, among many other possible areas of current federal oversight. This kind of authority would reduce time-consuming processes while preserving the intent and integrity of federal policy.

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To foster the development and testing of new, innovative practices and approaches aimed at expediting project delivery while maintaining environmental protections, we ask Congress to consider establishing a project delivery innovation program.

Thanks to the states' partnership with FHWA, we're currently working on a limited version of such an innovation program through Special Experimental Project—or SEP-16. Under this initiative which in the past has yielded innovations in contracting and public-private partnerships, FHWA is soliciting proposals for delegation of various FHWA responsibilities directly to States. There is a wide range of potential applications if SEP-16 criteria can be met. Some possible examples include:

- States approving modifications to Stewardship and Oversight agreements without preapproval by FHWA, subject to FHWA's ongoing oversight of the State's compliance with federal requirements;
- States taking the full responsibility for approving a new or modified access point on the Interstate System; and
- States developing a definition for "high-risk" Interstate projects that allows States to assume the full range of responsibilities for these efforts.

Another innovative practices example WSDOT has embraced is the design-build project delivery method as a "tool in the toolbox." For some projects, design-build can bring innovations to solve challenges more quickly and more cost-effectively. WSDOT is one of many state DOTs that are using design-build more often. We have learned a lot since our first design-build project in 2001, and we've had some great successes. Last year, we used design-build to replace the Wildcat Bridge on U.S. 12 in Yakima County. By using design-build, the creativity the private-sector designer brought to the table resulted in the project being completed with just 17 days of substantial construction, over 13 months ahead of schedule and saved the Department a third of the budgeted cost (\$3.7 million of \$12 million budgeted).

In addition to efficiently delivering our projects, we need resources to build more resilient infrastructure. Many of our existing assets were not designed to meet today's needs, or to withstand the changes we expect in the future. In addition, we know more today than we did in the 1950s and 1960s when much of the national transportation network was completed. We need to retrofit and we need to build in resilience. We're also working to manage stormwater so that our communities are protected from flood events and water-borne pollutants.

In Washington, we're burdened with thousands of undersized culverts, built to the federal standard at the time of construction, that prevent adult salmon from reaching upstream habitat and/or prevent juvenile salmon from migrating downstream. Our culverts contribute to the decline of salmon runs – which in turn, impacts the economy and cultural heritage of the Pacific Northwest. In response to longstanding obligations under treaties between the federal government and Pacific Northwest Native American tribes, we are now under a federal court

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order to fix enough culverts to open up 90 percent of the blocked habitat by 2030 at an estimated cost of over \$3 billion.

UTILIZING INNOVATION TO ADDRESS MOBILITY CHALLENGES, INCLUDING SAFETY, STATE OF GOOD REPAIR, CONGESTION, AND UNIVERSAL ACCESS

Federal programs should support state DOTs that take innovative approaches to transportation system management, demand management, and improved mobility.

At WSDOT, we are focused on an actionable path forward in a congested world with limited resources. The Practical Solutions Goal in our Strategic Plan calls for collaborating with our partners to address transportation problems/opportunities within available resources, making the right investments in the right locations at the right time. It acknowledges that we are stewards of a complex transportation system with a route network that is essentially complete. We have an obligation to the people we serve to bring our multimodal transportation system to a state of good repair, to make sure that it operates safely, that it moves people, goods, and services as efficiently as possible, that we manage demand for limited and expensive system capacity, and that we, at times, add capacity to the system.

WSDOT recently completed a high-level analysis of what highway lane capacity would be required for a person to be able to drive the posted speed limits, at all times, on the Interstates through the three most congested areas of the state (The Central Puget Sound, Vancouver, and Spokane). We determined that it would require an additional 451 lane miles of highway at an estimated cost of approximately \$115 billion. Funding the construction of these facilities over a twenty-year period would require a \$2.25 to \$2.50 per gallon increase in the state gas tax. This analysis assumed no growth in population and employment and no induced demand and did not include the cost of accommodating the resulting increased traffic on other state highways and local roadways or of mitigating the environmental consequences of the investment.

While additional capacity is sometimes the answer in specific locations, we acknowledge based upon the evidence above and the preponderance of data from other states that we cannot build our way out of congestion. We are instead working on innovative approaches to move forward in a congested environment that encompass transportation system management and operations, transportation demand management, addressing the relationships between transportation and land use, providing a more complete suite of multimodal transportation choices, and making targeted investments in roadway capacity. To make these changes requires a coordinated and leveraged approach. Flexibility and predictability in funding to develop and implement these programs will be more important to our success in the twenty-first century than capital investment made project-by-project without accompanying robust investment in the life cycle stewardship of the transportation system.

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Transportation system management and operation projects can be coordinated with transportation demand and active transportation projects to eliminate or at least delay the need for major system expansion. Funding from the Congestion Mitigation and Air Quality (CMAQ) program has been helpful to our efforts to support transportation demands management with innovative local projects. We are transitioning from 25 years of focus on employment at large worksites—our nationally recognized Commute Trip Reduction (CTR) program—to add smaller employers and other trips, including off peak trips. In addition, transportation system management and operation investments like transportation management centers, ramp meters, active transportation management systems, and variable speed limits signs can be used to improve the efficiency of our existing roadways and prepare us for the capabilities of new technology coming our way.

We are also using managed lanes and congestion pricing where appropriate to improve mobility and move more people on the infrastructure we have in place. WSDOT has taken advantage of funding from past and current federal programs including the 2007 USDOT Congestion Initiative and its Urban Partnership Agreements and the Value Pricing Pilot Program to help us explore and test these concepts. With our Interstate 405 Express Toll Lanes, launched in 2015, we are able to move 35 percent more vehicles in the peak hour when compared to a similar number of lanes and daily travel volumes on Interstate 5. These managed lanes also provide an attractive corridor for bus rapid transit systems and other public transportation investment.

The federal program must support and provide sufficient flexibility to allow state DOTs to harness innovation and technology.

We are at a global inflection point in the transportation arena that is as significant as when the engine replaced the horse and buggy and Eisenhower’s initiation of the National System of Interstate and Defense Highways. Today, there is dramatic change underway as the development and deployment of new technologies are resetting the relationships between the vehicles that transport people and goods and our multimodal transportation infrastructure. Our transportation systems are also responding to societal change, including a reduction in home-based commute trips as a percentage of the total demand on the system, a rapidly growing cohort of our population that do not possess driver’s licenses, the urbanization of our metropolitan regions with an increased demand for walkable neighborhoods, a desire to maintain and enhance mobility in rural America, and an increased reliance on our transportation system for home delivery of retail goods and services. These and other factors are fundamentally changing the ways we move goods, services and people on our transportation system.

Concrete, asphalt, and steel are no longer the only important materials for transportation agencies. They have been augmented by data as the new asset that will save lives, provide transportation choice and improved mobility to all of our citizens, enhance program and

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operational efficiency, protect our environment, and create jobs. It is important now, more than ever, that we not only optimize relationships at local, tribal, state and federal levels to ensure our transportation system is a steward and not a bottleneck of continued innovation, but expand out partnerships with the private sector, who's value to shareholders and the public is also dependent upon a sustainable, efficient, and reliable transportation system.

Technology creates new capabilities for transportation agencies to effectively manage and operate our roadways. The key to harnessing approaching technology is positioning and funding transportation agencies to leverage new technological opportunities.

State DOTs continue to evolve from highway builders of the last century to stewards of multimodal twenty-first century transportation systems, and we see technological innovation as an important new tool in our nation's transportation toolbox as we strive to provide safe mobility and access to everyone.

To better prepare for and leverage emerging technologies, AASHTO has recently established the Cooperative Automated Transportation (CAT) coalition, of which I serve as co-chair. The goals of this effort include creating a clearinghouse of connected and automated vehicle policy frameworks, bringing new multimodal mobility tools to our nation's communities, identifying funding opportunities and financing models to enable near-term investments, and developing model regulations that will facilitate near-term pilots and deployments.

As the owners and operators of a significant portion of the multimodal transportation infrastructure throughout the country, state DOTs are at the forefront of preparing for deployment of new transportation technologies, including connected and automated vehicles (CAVs) and Mobility on Demand (MOD).

Maintaining and preserving the current infrastructure in a state of good repair that meets the needs of current system users, while preparing for the benefits of the transformative technologies that are being introduced almost daily has given new meaning to workforce development and inclusionary collaboration within and between agencies. In response, many state DOTs are reorganizing or refocusing their project development and business processes to include preparing for multimodal trip planning and ticketing systems, vehicles equipped with Automated Driving System (ADS), and other innovations with the increasing ability to connect vehicles to each other and the infrastructure.

While encouraging consistency in traditional roadway design and traffic control device investments can assist in deployment of new technologies, taking steps to improve roadway pavement markings and signage and protecting the 5.9 GHz spectrum currently reserved for transportation safety and connectivity purposes will have lasting near and long-term benefits for both CAV and MOD.

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State, tribal, and local governments remain the primary authority concerning operational safety of our transportation system, regardless of the technologies involved. For CAV this includes regulating the operation of motor vehicles after such vehicles have been constructed, the operators of those motor vehicles, as well as establishing the rules of the road on how motor vehicles can be safely operated on public roadways. I say this because your Subcommittee's assistance in helping to clarify federal and non-federal authority over motor vehicle "performance" as Congress deliberates on nationwide CAV policy will be crucial to state, tribal, and local governments.

For MOD this state, tribal, and local government role will encompass new protocols for partnerships between public infrastructure owners and operators and their counterparts in the private sector to ensure that all Americans benefit equally from MOD, that data is shared transparently between service providers, and that public investment in multimodal transportation infrastructure and services is optimized.

Beyond the national-level efforts by AASHTO and its members, Washington State has also placed the development of an enabling, cooperative automated transportation policy at the forefront. Beginning with a Governor's Executive Order and followed by Legislative action, public and private sector decision makers and stakeholders from every corner of the state have partnered together to engage in spirited discussion that will impact all aspects of our profession, from redefining long-range planning policies to revisiting and realigning near-term project priorities. WSDOT is an active partner and leader in this effort while emphasizing an inclusive, multi-modal and integrated approach to automation and connectivity.

For example, some of WSDOT's near-term priorities include:

- increased use of public rights of way for telecom partnerships;
- infrastructure investments in roadway pavement markings and signing;
- supporting our local transit systems and private partners in providing first and last mile connections to transit; and
- expanding infrastructure investments to enable use of the 5.9 Ghz spectrum in a technology neutral manner.

SUPPORTING GOOD JOBS AND A QUALIFIED TRANSPORTATION WORKFORCE

Congress should continue to fund programs that support the development of a diverse and robust workforce suitable for staffing the development and delivery of twenty-first century transportation programs.

Inclusion and workforce development are two of the three goal areas of the WSDOT Strategic Plan. Like many states, Washington has an increasingly diverse population. By 2050 there will be no majority ethnic group in our state. We approach this demographic reality as an

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opportunity. A workforce with diverse backgrounds and perspectives to draw from will make Washington more competitive in the twenty-first century global marketplace. Through Inclusion, WSDOT is strengthening our commitment to diversity and engagement in all WSDOT business processes, functions and services to ensure every voice is heard. This goal has both an internal and an external focus to assure that we have an inclusive and diverse workforce while at the same time, meeting our Disadvantaged Business Enterprise goals and creating opportunities for underrepresented populations to do business with us.

Like other AASHTO members, workforce development is a priority in Washington State. WSDOT expects to lose a significant number of our employees through retirement in the next five years, including 31 percent of our maintenance staff and 41 percent of our engineers. We also have a significant gap in the available workforce for our contractor and consultant partners. State DOTs can't deliver our programs without qualified personnel. WSDOT wants to be an employer of choice and is creating a modern work environment. We're proactively working to find the best possible talent for the agency, while taking steps to retain our quality workforce. As part of our Workforce Development goal, we listen and act on employee feedback and we provide training and other opportunities for development. At the same time, we evaluate systems to achieve and maintain competitive compensation.

WSDOT and other AASHTO members appreciate federal interest in and support for our inclusion and workforce development efforts. Initiatives that would benefit from increased federal support include:

- Science, Technology, Engineering, Arts, and Math (STEAM) programs, including internships for high school and college students at state DOTs;
- On the Job Training Supportive Services (OJT/SS) programs to provide support (day care, transit fare, lunch money, etc.) to people seeking training to enter into apprenticeships in the transportation construction trades;
- Capacity Building Mentorship programs sponsored by State DOTs, the contracting community, and other agencies to bring disadvantaged business enterprises into the transportation sector;
- Programs like the Sustainability in Prisons Project that provide offenders the skills to work with state DOTs when they return to the community;
- Environmental Justice and Cultural Competency training for state DOT employees, managers, consultants, local agency partners, and others; and
- Flexible schedule and open office environment initiatives that improve state DOT employee work environments.

Testimony of **Roger Millar**

Member of the Board of Directors, Chair of the Council on Public Transportation, American Association of State Highway and Transportation Officials
Secretary, Washington State Department of Transportation

CONCLUSION

State DOTs remain committed to assisting Congress in the development of strategies to ensure long-term economic growth and enhanced quality of life through robust multimodal transportation investments. Just last month, hundreds of state DOT leaders from all corners of our country were only a few blocks away attending AASHTO's 2019 Washington Briefing.

Over four days of productive discussions, many of my colleagues were on Capitol Hill meeting with their respective Congressional delegations. As they did then, and as I do again now, AASHTO and the State DOTs will continue advocating for the reaffirmation of a strong federal-state partnership to address our surface transportation investment needs.

Thank you again for the honor and opportunity to testify today, and I am happy to answer any questions.

Testimony of **Roger Millar**

Member of the Board of Directors, Chair of the Council on Public Transportation, American Association of State Highway and Transportation Officials
Secretary, Washington State Department of Transportation