

To ensure delivery of Legislative Alert, please add 'LegislativeAlert@apta.com' to your email address book. If you are still having problems receiving our newsletter, see our whitelisting page for more details: <http://www.commpartners.com/website/white-listing.htm>



## LEGISLATIVE Alert

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION



*October 4, 2018*

### **President Signs Continuing Resolution Through December 7**

On September 28, just two days before funding would lapse for the federal government, President Trump signed a bipartisan agreement on a two-bill “minibus” funding bill for the Departments of Defense, Labor, Health and Human Services, and Education ([Public Law No: 115-245](#)). For all other federal agencies without full-year appropriations enacted (including the U.S. Department of Transportation (DOT)), the Conference Report includes a short-term Continuing Resolution (CR) to fund these federal agencies at fiscal year (FY) 2018 levels through December 7, 2018, after the midterm elections in November.

While the CR will delay the deadline to avoid a lapse of funding, the House and Senate Appropriations Committees continue to work to resolve differences in their respective versions of H.R. 6147, a minibuss appropriations package that includes FY 2019 funding for four appropriations bills—Interior and Environment, Financial Services, Agriculture, and Transportation, Housing and Urban Development (THUD) Appropriations bills. To view the House and Senate Conference Committee meeting, [please click here](#). To view the Senate THUD bill, [please click here and see Division D](#). To view the House version of the bill, [please click here](#). To view an APTA table comparing funding levels of the House and Senate THUD bills, [please click here](#).

### **Senate Commerce Committee Holds Hearing on Implementation of Positive Train Control**

On October 3, the Senate Committee on Commerce, Science, and Transportation held a hearing on railroads’ implementation of positive train control (PTC). The hearing focused on the current status of PTC implementation, anticipated compliance with the statute, and the challenges with efforts to install and operationalize PTC systems. The following witnesses testified before the Committee:

- The Honorable Ronald Batory, Administrator, Federal Railroad Administration (FRA)
- Ms. Susan Fleming, Director of Physical Infrastructure Issues, Government Accountability Office
- Mr. Kevin Corbett, Executive Director, NJ TRANSIT
- Mr. Scot Naparstek, Chief Operating Officer, Amtrak

APTA President and CEO Paul Skoutelas submitted written testimony for the record.

At the hearing, Kevin Corbett testified that the single, most critical mission of NJ TRANSIT is to complete PTC implementation and meet the federal requirements by December 31. He further stated that NJ TRANSIT is fully and absolutely committed to doing everything possible to meet the December 31 deadline. Scott Naparstek testified that, with regard to commuter and freight railroads that operate over Amtrak’s infrastructure (and may not complete installation and commissioning of PTC by December 31), Amtrak is prepared to work collaboratively with the

FRA and each railroad on a case-by-case basis with the aim of ensuring their continued, safe operations through risk mitigation strategies. Finally, in response to questions regarding possible FRA penalties for noncompliance, Administrator Ronald Batory indicated that he will recommend that any railroad that does not meet the statutory milestones be fined the maximum penalty, more than \$27,000 per day. To view the hearing and witness written testimony, [please click here](#). To view APTA's written testimony submitted for the record, [please click here](#).

### **National Transportation Safety Board Reauthorization Bill Cleared for President**

On October 3, the Senate passed H.R. 302, the "FAA Reauthorization Act of 2018", by a vote of 93 – 6, clearing the bill for the President. This legislation passed in the House of Representatives on September 26 by a vote of 398 – 23. The bill reauthorizes the Federal Aviation Administration, and several other agencies, including the National Transportation Safety Board (NTSB).

Division C, the "National Transportation Safety Board Reauthorization Act of 2018", of the bill reauthorizes the NTSB for FY 2019 through FY 2022. A few provisions of the bill specifically affect public transportation and intercity passenger rail. Section 1104 allows the NTSB to publicly disclose still images obtained from a video recorder determined to be relevant to an investigation, taking precautions to ensure that no one is readily identifiable from such images. In addition, section 1109(d) expands the requirements for the NTSB to provide services to families of passengers involved in passenger rail accidents to include accidents involving any loss of life (current law limits the requirement to accidents resulting in a major loss of life). The President is expected to sign the bill. To view the bill, [please click here](#).

**American Public Transportation Association**  
[Unsubscribe here](#)

1300 I Street NW, Suite 1200 East, Washington, DC 20005  
(202) 496-4800 | [www.apta.com](http://www.apta.com)