



APTA Policy Proposals

September 10, 2024

In July, both the House and Senate Committees on Appropriations marked up the Transportation, Housing and Urban Development, and Related Agencies Appropriations bill (THUD Appropriations bill). **APTA has endorsed several policy positions, including streamlining land acquisition for public transit projects; providing flexibility to use transit funds for micromobility initiatives; and certifying laboratories for oral fluid drug testing.**

Streamlining Land Acquisition

In most cases, public transit agencies cannot acquire real property until National Environmental Policy Act (NEPA) processes are completed. **Expanded flexibility for early land acquisition for public transportation projects is needed to reduce delays and associated costs of projects** and to create certainty in property rights with a view toward future use. This proposal would bring Federal Transit Administration's authority into parity with the Federal Highway Administration.

Providing Flexibility for Micromobility

Under current law, "associated transit improvements" are projects that enhance service and that are related to transit facilities. **APTA supports expanding this definition to include the capital costs of shared use micromobility projects**, as proposed in the President's FY 2025 Budget Request. This provision provides flexibility for Federal transit funding to be used to purchase bicycles, scooters, and bicycle or scooter share systems.

Certifying Labs for Drug Testing

Under current drug testing protocols, public transit agencies must drug test employees using urine tests. **In May 2023, the Department of Transportation added oral fluid testing to the existing urine testing procedures. However, oral fluid testing cannot be implemented until the Department of Health and Human Services (HHS) certifies two laboratories to conduct the drug testing.** To date, HHS has not certified these laboratories. Oral fluid testing provides several key benefits, including a less invasive collection process, reduced risk of tampering, and a better measure of impairment given the shorter latency period for detection.

APTA urges Congress to:

- ✓ Adopt section 168 of the Senate THUD Appropriations bill, which expands public transit agencies' authority to acquire land prior to the completion of NEPA review.
- ✓ Adopt section 169A of the President's FY 2025 Budget Request, which amends the definition of "associated transit improvement" to include the capital costs of shared micromobility devices and systems, such as bicycles and scooters.
- ✓ Urge HHS to certify laboratories needed to conduct oral fluid drug testing.