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May 2013 Monthly Report for MTC

To: Steve Heminger, Executive Director, MTC

From: Tom Bulger, President, GRI

Re: Monthly Report for May, 2013

Date: June 3, 2013

- **Bay Area Council Washington, DC Meetings**
- **Mayor Anthony Foxx Confirmation Hearing to be Secretary of Transportation**
- **FCC Action on Progeny's Indoor-location E-911 system**
- **ITS America Comments to the FCC on Unlicensed Users in the 5.9 GHZ Spectrum**
- **Transit Benefit Legislation Under Construction**
- **FTA Core Capacity**
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Bay Area Council Washington, DC Meetings

As in past years, we participated in meetings with the Bay Area Council on May 15 and 16 in Washington, DC.

At the USDOT, we met with Secretary Ray LaHood, Deputy Secretary John Porcari, Federal Railroad Administrator Joe Szabo and Federal Transit Administrator Peter Rogoff. We thanked Secretary LaHood for his long standing support to all the Bay Area's major capital projects during his tenure as secretary. We updated the senior DOT staff on the Bay Bridge and determined that the Deputy Secretary would be our contact in the future concerning the Bay Bridge. We also briefed the Federal Highway Administration staff on the Bay Bridge situation.

At the Federal Communications Commission (FCC) we discussed the pending Progeny indoor-location E-911 system and potential interference to the FASTRACK toll collection system.

On May 16 we met with Senator Barbara Boxer (D-Ca.) and House Minority Leader Nancy Pelosi (D-Ca.)

Mayor Anthony Foxx Confirmation hearing to be Secretary of Transportation

Mayor Anthony Foxx received a very warm welcome from senators in both parties during his Senate Commerce, Science and Transportation Committee hearing two weeks ago. Senator John Thune (R-S.D.), has asked DOT to respond to a request for information about its handling of the automatic budget cuts known as sequestration before he approves a vote on Mayor Foxx's nomination. I expect the Charlotte, N.C. Mayor to be easily confirmed by the senate. A senate vote could happen the first week of June.

FCC Action on Progeny's Indoor-location E-911 system

Technology to help locate wireless callers inside buildings got past objections from E-ZPass Group, Google, GE and a host of interested parties last week at the FCC. Under Progeny's proposal, smart phones would calculate their position using radio signals by the company, and report that location during emergency calls (E-911). Progeny has reported that their technology was able to pinpoint within 7 feet the vertical position of a handset making the E-911 call, thus enabling speedy emergency responses. Interference from the system could hamper the free flow of traffic if it disrupts electronic toll gates such as EZPass on the east coast. FASTRAK on the west coast is not affected at this time.

ITS America Comments to FCC on Unlicensed Users in the 5.9 GHz spectrum

ITS America commented to the FCC last week to provide a stable platform for connected vehicles in the 5.9 GHz band. The comments were in response to the FCC's Notice of Proposed Rulemaking seeking to allow for the operation of unlicensed devices within the band. The FCC recently stated that unlicensed Wi-Fi broadband through spectrum sharing should go forward. ITS America strongly believes that Dedicated Short Range Communications platforms should be interference free.

Transit Tax Benefit Legislation Under Construction

Federal transit tax benefit legislation is being developed in the House and Senate. Legislation may be introduced in the next few days in both chambers. The House legislation is expected to be championed by Rep. Michael G. Grimm (R-N.Y.) from Staten Island. His bill would reduce the allowable monthly benefit for transit, vanpooling and parking to \$220 per month. The current monthly benefit for transit, vanpooling and parking is \$245 per month. By reducing the current monthly amount the legislation is expected to be revenue positive or at the least revenue neutral to the Treasury. In addition, the legislation would avert another downward reduction for the transit and vanpool benefit to \$125 per month on January 1, 2014. The bill would also retain annual indexing for inflation and more importantly be permanent.

The Senate bill by Senator Chuck Schumer (D-N.Y.) is expected to be introduced in the next week or so would not reduce any of the three monthly maximums, but instead make the transit and vanpool benefit permanent starting from the current 2013 monthly limit of \$245 per month and indexed for inflation in 2014.

FTA Core Capacity Program

MTC staff requested information about the new FTA Core Capacity program. As part of the MAP-21 Legislation, FTA set aside \$120 Million in the FY 2014 New Starts report for the Core Capacity program. FTA explained that they will soon issue Interim Guidance in line with the current New Starts program guidance. My take away is that due to the two year completion from grant submittal of a Core Capacity project very small and easy to implement projects are only possible. In addition, a Core Capacity project must show a 10 percent capacity improvement over a five year time frame, and not be a State of Good Repair (SOGR) type project.

Transit and MPO Webinar

On May 10, I participated in an APTA/AMPO sponsored Webinar on Transit and MPO's under the MAP-21 Legislation. MPO's from Seattle, Nashville, Anchorage and Albany, New York participated.

Senator Frank Lautenberg (D-N.J.) Passes Away

Senator Frank Lautenberg, five-term Senator from New Jersey passed away on June 3. Senator Lautenberg decided not to seek re-election next year. Senator Lautenberg was the senate's oldest member and last surviving World War II veteran. In 1984, he pushed through the national drinking age of 21. Sixteen years later; he successfully lowered the 0.08 percent blood alcohol legislation. He was always a staunch supporter of the Federal Transit program and Federal Transit Tax Benefit. His death leaves a vacancy that will be filled by Governor Chris Christie, a republican. The Governor is expected to appoint a republican, making 46 republican seats. Democratic Senate seats would drop to 52. There are two Senate Independents.

Coming and Going

- Robert Edmonson has been promoted to Chief of Staff in Rep. Nancy Pelosi's Washington, DC office. In our Bay Area Council meeting, Mr. Edmonson performed his first Chief of Staff event.
- Joel Szabat has been reassigned to the USDOT Maritime Administration from the Secretary's Office of Policy.

May Meetings

- I attended an ITS America luncheon with Rep. Donna Edwards (D-MD.) a Member of the House Transportation & Infrastructure Committee.
- On May 7, I attended the House Transportation & Infrastructure Committee hearing on Connected Vehicles.