

November 13, 2015

The Honorable James Inhofe, Chairman
Senate Environment and Public Works
Committee

The Honorable Bill Shuster, Chairman
House Transportation and Infrastructure
Committee

The Honorable Barbara Boxer, Ranking Member
Senate Environment and Public Works
Committee

The Honorable Peter DeFazio, Ranking Member
House Transportation and Infrastructure
Committee

Dear Chairman Inhofe, Ranking Member Boxer, Chairman Shuster, Ranking Member DeFazio, and members of the Conference Committee on H.R. 22, Surface Transportation Reauthorization and Reform Act of 2015:

As you prepare for the conference to reconcile the two chamber's surface transportation program reauthorization proposals, the National Asphalt Pavement Association (NAPA) urges you to support increasing federal highway program funding to levels significantly above baseline. Current federal funding is not enough to maintain the current highway transportation network, much less improve the network to accommodate increased demand.

NAPA also urges you to consider the following recommendations:

Support the House provision (Section 1100) establishing a Critical Commerce Corridors Program. This provision would establish a Critical Commerce Corridors Program to improve the movement of freight throughout the nation. This section contains a number of policy provisions that would ensure funds provided for the program support highway-related freight specific activities that maximize goods movement. NAPA urges you to support this provision in the final bill.

Support the House (Section 6004) and Senate (Section 12001) provisions reauthorizing the Accelerated Implementation and Pavement Deployment Program. This provision supports the implementation and deployment of well-conceived and effective concrete and asphalt pavement and materials technologies. Prior to MAP-21, there had been a focus on research and development that left a gap for deployment and implementation of pavement technologies.

Support the House (Section 5516) Hours of Service (HOS) air-mile radius provision. The House provision (Sec. 5516) provides additional flexibility under Hours of Service (HOS) rules by increasing the air-mile radius from 50 to 75 air-miles for the transport of construction materials and equipment to satisfy the 24-hour reset period. Currently, construction company drivers who haul construction materials and supplies are operating in larger geographic areas compared to when the air mileage exemption was originally put into place.

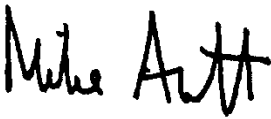
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Support the Senate provision (Section 2302 of S.1732) to reform Hours of Service (HOS) exemption regulations. NAPA urges support for Section 2302 of S.1732 the Comprehensive Transportation and Consumer Protection Act of 2015 which establishes timelines for FMCSA when considering exemptions to HOS regulations for specific industries, and allows the administration to make exemptions permanent. The current HOS rule was originally intended for long-haul truck drivers, not short-haul drivers who work in transportation construction. As a result, the current regulations limit the ability to discharge job duties relating to commercial motor vehicles resulting in delayed deliveries and increased project costs.

Amend the House provision (Section 6017) that authorizes a highway pavement durability and sustainability study. As currently drafted, the provision leaves important considerations out of the analysis and, as a result, may not produce useful information. Enclosed are three minor but important modifications that NAPA recommends to strengthen the study requirements and subsequent report.

On behalf of the asphalt pavement industry, I want to reiterate NAPA's appreciation for your leadership and consideration of these items of great importance to our surface transportation network. NAPA looks forward to working with you to see the final bill enacted and implemented as quickly as possible.

Sincerely,

A handwritten signature in black ink that reads "Mike Acott". The signature is written in a cursive, slightly stylized font.

Mike Acott
President

Enclosure

- 1 (C) *planning agencies at the metropolitan,*
- 2 *State, and regional levels;*
- 3 (D) *the motor carrier industry;*
- 4 (E) *freight shippers;*
- 5 (F) *highway safety groups; and*
- 6 (G) *other appropriate entities.*

7 (f) *REPORT.*—Not later than 3 years after the date of
 8 *enactment of this Act, the Transportation Research Board*
 9 *shall make available to the public on an Internet Web site*
 10 *the results of the study conducted under this section.*

11 (g) *FUNDING.*—From funds made available to carry
 12 *out section 503(b) of title 23, United States Code, the Sec-*
 13 *retary may use to carry out this section up to \$5,000,000*
 14 *for fiscal year 2016.*

15 **SEC. 6017. HIGHWAY EFFICIENCY.**

16 (a) *STUDY.*—

17 (1) *IN GENERAL.*—The Assistant Secretary of
 18 *Transportation for Research and Technology may ex-*
 19 *amine the impact of pavement durability and sus-*
 20 *tainability on vehicle fuel consumption, vehicle wear*
 21 *and tear, road conditions, and road repairs.*

22 (2) *METHODOLOGY.*—In carrying out the study,
 23 *the Assistant Secretary shall—*

add "critical"¹

1 (A) conduct a ~~thorough~~² review of relevant
 2 peer-reviewed research published during at least
 3 the past 5 years;

4 (B) analyze impacts of different types of
 5 pavement on all motor vehicle types, including
 6 commercial vehicles; ← add "under various environmental
 and operating conditions"³

7 (C) specifically examine the impact of pave-
 8 ment deformation ~~and~~⁴ deflection; and

9 (D) analyze impacts of different types of
 10 pavement on road conditions and road repairs.

add "smoothness and texture;"⁵

11 (3) CONSULTATION.—In carrying out the study,
 12 the Assistant Secretary shall consult with—

13 (A) experts from the different modal admin-
 14 istrations of the Department and from other Fed-
 15 eral agencies, including the National Institute of
 16 Standards and Technology;

17 (B) State departments of transportation;

18 (C) local government engineers and public
 19 works professionals;

20 (D) industry stakeholders; and

21 (E) appropriate academic experts active in
 22 the field.

23 (b) REPORT.—

24 (1) IN GENERAL.—Not later than 1 year after
 25 the date of enactment of this Act, the Assistant Sec-

1 *retary shall publish on a public Web site the results*
2 *of the study.*

3 (2) *CONTENTS.—The report shall include—*

4 (A) *a summary of the different types of*
5 *pavements analyzed in the study and the im-*
6 *pacts of pavement durability and sustainability*
7 *on vehicle fuel consumption, vehicle wear and*
8 *tear, road conditions, and road repairs; and*

9 (B) *recommendations for State and local*
10 *governments on best practice methods for im-*
11 *proving pavement durability and sustainability*
12 *to maximize vehicle fuel economy, ride quality,*
13 *and road conditions and to minimize the need*
14 *for road and vehicle repairs.*

15 **SEC. 6018. MOTORCYCLE SAFETY.**

16 (a) *STUDY.—The Assistant Secretary for Research and*
17 *Technology of the Department of Transportation may enter*
18 *into an agreement, within 45 days after the date of enact-*
19 *ment of this Act, with the National Academy of Sciences*
20 *to conduct a study on the most effective means of preventing*
21 *motorcycle crashes.*

22 (b) *PUBLICATION.—The Assistant Secretary may make*
23 *available the findings on a public Web site within 30 days*
24 *after receiving the results of the study from the National*
25 *Academy of Sciences.*