

NAFA
Legislative & Regulatory Tracker – February 2020

Issue	Legislation	Summary	Status	Importance & Implications	NAFA'S Position	Prospect of Enactment During 116 th Congress
Government Funding - Misc	H.R.1865 Further Consolidated Appropriations Act, 2020	<ul style="list-style-type: none"> - Retroactive extension through 2022 of the \$1/gallon biodiesel excise credit - Retroactive extension through 2020 of the \$0.50/gallon alt fuels excise credit - Retroactive extension through 2020 of the 30% alt fuels infrastructure credit - \$87 Million for the EPA's Diesel Emissions Reduction Act (DERA) Program - \$40 Million for the DOE's Clean Cities Program 	Signed into law on 12/20/19	Congress typically passes an annual funding package for the upcoming fiscal year, which includes appropriations for various government programs. Given the "must-pass" nature of this legislation, many additional policies may "ride" with the package and be passed into law. Congress included sections related to the expired tax "extenders" in the FY2020 package.	<p>NAFA supported the preservation of government funding for programs that are valuable to fleets, and strongly supported the inclusion of language to retroactively extend the expired fuel tax credits.</p> <ul style="list-style-type: none"> - Clean Cities Coalition Support Letter - DERA Coalition Support Letter - NAFA Comment Letter to Senate Finance Taskforce on Tax Extenders 	<u>N/A</u>
Electric Vehicles	S. 343/ H.R. 1027 Fairness for Every Driver Act	Amends the tax code to terminate the credit for new qualified plug-in electric drive motor vehicles and provides for a Federal Highway user fee on alternative fuel vehicles.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means Committee	Eliminating the up to \$7,500 tax credit for new EV purchases may significantly reduce the rate of EV consumer adoption, consequently slowing R&D in the EV industry.	NAFA opposes the legislation as the tax credit helps access EV technology, which increases sustainability and present cost-saving opportunities.	<u>Low</u>

Electric Vehicles	S. 1094/ H.R. 2256 Driving America Forward Act	Amends the 30D tax credit for new qualified plug-in electric vehicles by adding 400,000 units on top of the original 200,000 units limited by manufacturer. The extra 400,000 credits would be worth up to \$7,000. Also extends the hydrogen fuel cell tax credit for ten years.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means Committee	With several large EV manufacturers already hitting or set to hit the current limit on the tax credit soon, this bill would help U.S. automakers be competitive in the global EV market and keep the cost of EVs down for consumers.	NAFA supports the legislation and is actively advocating for it in Congress and through the EV Drive Coalition. EVs can significantly improve a fleet's sustainability, and the tax credit helps makes the business case for their acquisition. - NAFA Support Letter - Coalition Comment Letter to Senate Finance Taskforce	<u>Moderate</u> Strong Stakeholders, Pressing Issue
Electric Vehicles	S. 993/ H.R. 2042 Electric CARS Act of 2019	Extends the tax credit for new qualified plug-in electric drive motor vehicles through 2029 and modifies the credit to remove the limitation on the number of vehicles per manufacturer that are eligible for the credit. Extends through 2029 the tax credits for alternative fuel vehicle refueling property, and alternative motor vehicles.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means Committee	This bill would be a significant boost to the EV industry, as the removal of the manufacturer limit on the EV tax credit and extension until 2030 would give EV automakers confidence to invest in EV production heavily.	NAFA supports the legislation as it would be a positive for broader sustainability goals and decrease EV acquisition costs. However, the forward-looking nature of the legislation increases the difficulty of it being considered as a near term fix to the issue of manufacturer credit limits.	<u>Low</u>
Renewable Fuel	H.R.104 LEVEL Act	Revises the renewable fuel standard (RFS) to decreases the volume of renewable fuel that must be contained in gasoline to 7.5 billion gallons each year and eliminates separate volume requirements for the advanced biofuels, cellulosic biofuel, and biomass-based diesel. Would stop the sale of new higher than E-10 gasoline and directs the EPA to study the effects of higher than E-10 gasoline on consumer products, including non-road vehicles.	Pending in the House Energy & Commerce Committee	The RFS volume requirements are hotly debated among energy stakeholders as they can move the market demand for various fuels. The bill also seeks to address the many concerns regarding the impact that higher than E-10 ethanol-blended fuel may have on the engines of various vehicles.	NAFA does not have an official position on the legislation. NAFA supports the study of the impact high ethanol blend fuels have on vehicles and efforts to prevent consumer misfuelling, given potential risks involving damage to engines and underground fueling systems.	<u>Low</u>

Renewable Fuel	S.2873/ H.R.5113 GREENER Fuels Act	Phases out corn ethanol blending mandates by 2031. Maintains blending production goals for cellulosic and other advanced biofuels until they reach 2 billion gallons of annual production or the year 2037. Also reverses the decision to allow the summertime sale of E-15 fuel and mandates that the EPA study the environmental impact of higher ethanol-blended fuel.	Pending in the Senate Environment & Public Works Committee and Pending in the House Energy & Commerce, Natural Resources, and Science Committees	There are concerns over the actual effectiveness of the RFS' corn ethanol blending mandates in producing environmental benefits.	NAFA does not have an official position on the legislation. NAFA supports the study of the impact high ethanol blend fuels have on vehicles and efforts to prevent consumer misfuelling, given potential risks involving damage to engines and underground fueling systems.	<u>Low</u>
Renewable Fuel	H.R.3006 Renewable Fuel Standard Integrity Act of 2019	Requires refiners to ask for RFS small reiner exemptions by June 1st and for information included in the petitions to be publicly disclosed. Gives the EPA additional time to reallocate waived gallons back into the marketplace.	Pending in the House Energy & Commerce Committee	The EPA has granted an increased number of small refiner exemption waivers in recent years. Some believe the increase in waivers is a deliberate attempt to undermine the goals of the RFS.	NAFA does not have an official position on the legislation.	<u>Low</u>
Infrastructure	S. 2302 America's Transportation Infrastructure Act	Authorizes \$287 billion from the Highway Trust Fund over five years to maintain and repair the U.S. surface transportation network. Funding authorization highlights include hydrogen, natural gas, and electric vehicle fueling infrastructure, DERA grant program reauthorization, the study of vehicle-to-infrastructure connectivity safety benefits, authorizes funds for state and federal alternative road user fees research programs, emerging vehicle technologies research, and transportation workforce development.	Passed by the Senate Environment & Public Works Committee on 8/1/19. Pending on Sen. Legislative Calendar.	Current surface transportation funding authorization (The Fast Act) is set to expire at the end of FY 2020. States rely heavily on the assurance of federal funding to plan out infrastructure development projects to maintain and improve U.S. surface transportation. Funding authorization is also needed to facilitate the appropriations process to fund programs that advance innovative transportation-related technologies and concepts.	NAFA supports the legislation's efforts to reauthorize funding for surface transportation. NAFA also supports many of the individual program funding provisions within the legislation. - NAFA Support Letter	<u>High</u> The current surface transportation funding authorization has a set expiration date within this session of Congress

Infrastructure	Moving Forward Framework	Authorizes a 5-year \$760 billion infrastructure package, which includes \$329 billion in funding for highways and highway safety. Funding authorization highlights \$1.5 billion in EV infrastructure, \$1.25 billion DERA program reauthorization, \$625 million Clean Cities program reauthorization, authorization of a multi-year national pilot program to test alt. user fees, including a vehicle-miles traveled (VMT) fee.	Framework and Fact Sheet released by House T&I, E&C, and W&M Democratic Leadership on 1/29/20	Current surface transportation funding authorization (The Fast Act) is set to expire at the end of FY 2020. States rely heavily on the assurance of federal funding to plan out infrastructure development projects to maintain and improve U.S. surface transportation. Funding authorization is also needed to facilitate the appropriations process to fund programs that advance innovative transportation-related technologies and concepts.	NAFA supports the legislation's efforts to reauthorize funding for surface transportation. NAFA also supports many of the individual program funding provisions within the bill.	High The current surface transportation funding authorization has a set expiration date within this session of Congress
Infrastructure/ User Fees	H.R. 2864 The Rebuild America Act of 2019	Would increase the federal motor fuels tax for the first time since 1993 by 5 cents a year starting in 2020. In 2023 the federal gas tax would rise to 43.3 cents/gallon and the federal diesel tax would increase to 49.3 cents/gallon. After 2024, the tax would increase based on inflation.	Pending in the House Ways & Means Committee.	The federal motor fuels excise tax is the primary funding source for the Highway Trust Fund (HTF). Increased fuel economy, inflation, and aging infrastructure have set the HTF on course for insolvency, as the current rate for the federal fuel excises tax cannot generate the required amount of revenue to sustain the HTF.	NAFA's Government Affairs Committee is reviewing the viability of increasing the federal motor fuels excise tax as a means of providing for the long-term solvency of the HTF.	Moderate Possible Inclusion in Must-pass Legislation
Infrastructure	S. 146/ H.R. 1508 Move America Act of 2019	Would create Move America Bonds to expand tax-exempt financing for public-private partnerships (P3) and Move America Credits to leverage additional private equity investment at a lower cost for states. Qualifying projects eligible for a tax exemption include airports, ports, transit, freight and passenger rail, roads, bridges, and facilities for the transfer of freight from truck to rail or rail to truck (including any temporary storage facilities directly related to such transfers) which is eligible for Federal assistance under either title 23 or title 49, of the U.S. Code.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means Committee	The state of U.S. infrastructure is a major area of concern as it impacts all Americans. P3s are viewed as one option of funding infrastructure projects that benefit the public.	NAFA supports the legislation as it encourages investments in infrastructure, and P3s should be considered as one component in any broad infrastructure package.	Moderate Possible Inclusion in Must-pass Legislation

Infrastructure/ User Fees	H.R. 180 Build America Act of 2019	Provides for investment in various infrastructure projects, creates a National Infrastructure Investment Trust Fund, and would raise the federal gas and diesel taxes to 53.3 cents and 59.3 cents respectively, and after that based on inflation.	Pending in the House Transportation & Infrastructure and Ways & Means Committees	Establishing a system for distributing infrastructure grants is important for funding projects across the country. Increasing the federal motor fuels excise taxes and pegging it to inflation would help provide for the solvency of the Highway Trust Fund.	NAFA supports continued infrastructure investment and but does not support the immediate increase of the federal gas and diesel taxes to 53.3 cents and 59.3 cents respectively. NAFA's Government Affairs Committee is reviewing the viability of increasing the federal motor fuels excise tax as a means of providing for the long-term solvency of the HTF.	<u>Low</u>
Infrastructure/ User Fees	S. 1839/ H.R. 2381 Modern, Clean, and Safe Trucks Act of 2019	Repeals the 12% federal excise tax (FET) on the retail sale of heavy-duty trucks and trailers.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means Committee	The FET on heavy-duty trucks and trailers was imposed in 1917 to help fund WWI. It now increases the cost of new heavy-duty trucks and trailers by \$22,000 on average. It is regarded as an unreliable source of funding for the Highway Trust Fund.	NAFA supports the legislation as the added cost is a disincentive for the adoption of newer, cleaner, and safer vehicles. The FET can be a significant impediment for fleets looking to upgrade their work and duty vehicles. - Coalition Support Letter	<u>Moderate</u> Possible Inclusion in Must-pass Infrastructure Legislation
Infrastructure/ Sustainability	S. 674/ H.R. 2616 Clean Corridors Act of 2019	Establishes a grant program for the installation of electric vehicle (EV) charging infrastructure and hydrogen fueling infrastructure along the National Highway System.	Pending in the Sen. Environment & Public Works Committee and Pending in the House Transportation & Infrastructure Committee	Encouraging the EV charging infrastructure investment is important for increasing the viability of EVs being adopted, as it will increase consumer travel range.	NAFA supports the legislation as it encourages the wider adoption of EVs, positively impacting sustainability, and increased charging infrastructure would allow for increased incorporation of EVs into fleets. - NAFA Support Letter	<u>Moderate</u> Possible Inclusion in Must-pass Legislation

Workforce	S. 3303/ H.R. 5118 Promoting Service in Transportation Act	The bill authorizes funding for the DOT to create and carry out a 5-year public awareness campaign to highlight career opportunities in the transportation sector.	Pending in the Sen. Commerce, Science, and Transportation Committee and Pending in the House Transportation & Infrastructure Committee	There is currently a workforce shortage across the transportation section, and this legislation seeks to promote the viability of careers within the trucking, aviation and rail industries.	NAFAs does not have an official position on the legislation, but supports the concept of raising awareness of the opportunities for mechanics, technicians, and truck drivers.	Low
Workforce	H.R. 654 Investing in Tomorrow's Workforce Act of 2019	Creates an employer tax credit for qualified training expenses for non-highly compensated employees. The credit would be for 40% of high-demand occupation training expenses and 20% for low-demand occupation training expenses.	Pending in the House Ways & Means Committee	Employer tax credits for training expenses could aid fleets in developing their workforces.	NAFAs supports the legislation as it could present organizations with valuable savings needed to recruit and maintain well-trained workforces.	Low
Workforce	S. 839/ H.R. 3497 JOBS Act	Expands Pell Grant eligibility to cover short-term job training programs. Current law only allows Pell Grants to be applied toward programs that are over 600 clock hours or at least 15 weeks in length.	Pending in the Sen. Health, Education, Labor, and Pensions Committee and Pending in the House Ed & Labor Committee	The current Pell Grant restrictions on short-term job training programs discourage recipients from entering fields that may favor those avenues of training.	NAFAs supports the legislation, as many useful short-term job training programs exist for occupations related to fleet operations.	Moderate Possible Inclusion in Must-pass Legislation
Workforce	H.R. 625 PROPEL Act	Expands Pell Grant eligibility to short term programs of education at trade schools that consist of on-job apprenticeship training and does not require the program to lead to an educational credential.	Pending in the House Education & Labor Committee	The current Pell Grant restrictions on short-term job training programs discourage recipients from entering fields that may favor those avenues of training.	NAFAs supports the legislation, as many occupations related to fleet operations may be eligible for training through an on-job type of program.	Low
Vehicle-Miles-Traveled (VMT) Fee	VMT Pilot Program	Creation of a federal-level Vehicle-Miles-Traveled (VMT) pilot program to study the feasibility of implementing a mileage-based user fee on the national scale as a replacement of the federal excise tax on motor fuels.	National Research Program for VMT included the Senate (S.2302) and House surface transportation reauthorization packages.	With vehicles becoming more fuel-efficient and the growing number of electric-powered vehicles, the long-term solvency of the Highway Trust Fund, which is principally meant to be funded by the motor fuels excise tax, is in question. A VMT pilot is the first step in determining if a VMT fee could be a possible long-term solution for the HTFs funding dilemma.	NAFAs supports the concept of a VMT pilot program, as it would help inform policymakers, the public, and other stakeholders on the feasibility and implications of a VMT user fee. NAFAs does not support a Truck-Only VMT at this time. - NAFA Support Letter	Moderate Possible Inclusion in Must-pass Legislation

Vehicle-Miles-Traveled (VMT) Fee	H.R. 5449 Road User Charge Advancement Act of 2019	Reauthorize the Surface Transportation Systems Funding Alternatives (STSFA) program through 2025 and increase funding authorization. The STSFA program allows states to undertake VMT pilot programs.	Pending in the House Transportation & Infrastructure Committee	With vehicles becoming more fuel-efficient and the growing number of electric-powered vehicles the revenues generated by the motor fuels excise tax, is in question. VMT pilots are necessary steps in determining if a VMT fee could be a possible long-term solution for the HTFs funding dilemma.	NAFAs does not have an official position the legislation but supports the concept of a VMT pilot programs, as they help inform policymakers, the public, and other stakeholders on the feasibility and implications of a VMT user fee.	Moderate Possible Inclusion in Must-pass Legislation
Vehicle Technology	S. 1085/ H.R. 2170 Vehicle Innovation Act of 2019	Authorizes investments in DOE R&D for clean vehicle and advanced safety technologies to increase fuel efficiency and reduce dependence on foreign oil.	Passed by the Sen. Energy & Natural Resources Committee and Pending in the House Science, Space, & Technology, and Energy Committees.	Funding research into clean vehicle and advanced safety technology is necessary for supporting continued innovation in the auto industry to make it accessible to all consumers.	NAFA supports the legislation as it promotes advancements in vehicle sustainability and safety.	Low
Vehicle Technology	H.R. 2542 PLACE Act	Creates a federally funded highly automated vehicle (HAV) research clearinghouse to examine the secondary influences of autonomous vehicles.	Pending in the House Science, Space, & Technology and Transportation & Infrastructure Committees	The current body of research on the of impact autonomous vehicles is still in a formative stage. A research clearinghouse on AV technology will help with the formation of regulations and legislation governing AVs.	NAFA supports the legislation as it aids in the development of informed policy decisions on rapidly evolving AV technology.	Low
Vehicle Technology	Autonomous Vehicles (AVs)	Previous legislative efforts have sought to establish a framework for a federal role in ensuring the safety of highly automated vehicles (HAVs). Committee staff has circulated sections of a draft bill for comment. In February 2020 the final sections for comment (cybersecurity, consumer education, inoperative controls, resources, staffing, crash data, and trucks) were released.	The House Energy & Commerce Committee and the Senate Commerce Committee sent a letter to stakeholders soliciting comments on the AV legislation issue. The House Energy & Commerce Consumer Protection Subcommittee held a hearing on AVs on 02/11/20.	Automakers continue to develop AV technology absent clear federal regulations. While some voluntary guidance has been provided from federal agencies, it is not adequate for the rapid development, testing, and deployment of AVs. AV technology stands to provide immense safety benefits, but the unregulated nature of the technology at present may jeopardize public safety.	NAFA supports the development of standards that ensure public safety regarding AVs, as technology development is currently far outpacing regulatory oversight. - Coalition AV Bill Comment Letter - Data Access Coalition Comments AV Bill Hearing	Low

Vehicle Data Privacy	S. 2182 SPY Car Act of 2019	Directs the National Highway Traffic Safety Administration (NHTSA) and the Federal Trade Commission (FTC) to establish federal standards to ensure cybersecurity in increasingly computerized vehicles and to protect drivers' privacy.	Pending in the Sen. Commerce, Science, and Transportation Committee	There are growing security and privacy-related concerns surrounding vehicle systems and data. Congress is working on a broader federal data privacy framework, and vehicle data may be included in the context.	NAFA does not have an official position on this legislation.	<u>Low</u>
Data Privacy	S.2968 Consumer Online Privacy Rights Act (COPRA)	Gives consumers control over their personal data, establishes standards for the collection, use, sharing, and protection of consumer data, penalizes companies that fail to meet data protection standards. The legislation also codifies the rights of individuals to pursue claims against entities that violate their data privacy rights.	Pending in the Sen. Commerce, Science, and Transportation Committee	The discussion over comprehensive data privacy legislation touches several different policy areas, and stands to impact all Americans. How legislation affects the employer-employee relationship stands to be extremely significant to the many entities that rely on data to in their organizational operations. This legislation would set a base standard for data privacy, but would allow states to set their own privacy laws.	NAFA does not have an official position on this legislation. NAFA believes that any privacy legislation should not infringe upon an entity's ability to collect and monitor data generated by one of its assets. A patchwork of state privacy laws would potentially make compliance more difficult for covered entities. - NAFA Letter to Sen. Cantwell	<u>Low</u>
Data Privacy	United States Consumer Data Privacy Act	Gives consumers control over their personal data, establishes standards for the collection, use, sharing, and protection of consumer data. Additionally, it would prevent states from enforcing data privacy or security laws that would affect companies covered by the proposal.	Introduction Pending	The discussion over comprehensive data privacy legislation touches several different policy areas, and stands to impact all Americans. How legislation affects the employer-employee relationship stands to be extremely significant to the many entities that rely on data to in their organizational operations. This legislation would preempt state privacy laws.	NAFA does not have an official position on this legislation. NAFA believes that any privacy legislation should not infringe upon an entity's ability to collect and monitor data generated by one of its assets. A patchwork of state privacy laws would potentially make compliance more difficult for covered entities. - NAFA Letter to Sen. Wicker	<u>Low</u>

Data Privacy	House Privacy Bill Discussion Draft	Gives consumers control over their personal data, establishes standards for the collection, use, sharing, and protection of consumer data, penalizes companies that fail to meet data protection standards. The legislation also codifies the rights of individuals to pursue claims against entities that violate their data privacy rights.	The Chair of the House E&C Committee's Consumer Protection Subcommittee, Rep. Jan Schakowsky (D-IL) released the discussion draft in 12/19. Several sections need to be finalized before the final text is introduced.	The discussion over comprehensive data privacy legislation touches several different policy areas and stands to impact all Americans. The legislation's impact on employer-employee relationships will be extremely significant to the many entities that rely on data in their organizational operations. This legislation would set a base standard for data privacy but would allow states to set their own privacy laws.	NAFA does not have an official position on this legislation. NAFA believes that any privacy legislation should not infringe upon an entity's ability to collect and monitor data generated by one of its assets. A patchwork of state privacy laws would potentially make compliance more difficult for covered entities.	<u>Low</u>
Vehicle Safety	S. 2604 Reduce Impaired Driving for Everyone (RIDE) Act of 2019	Authorizes funding for R&D into advanced alcohol detection technology that detects whether a driver is impaired over the legal limit and, if so, prevents that driver from starting the car. It also creates a pilot program for fleet deployment of vehicles equipped with this technology. Finally, the act requires a rulemaking to mandate installment of this technology in every new vehicle.	Pending in the Sen. Commerce, Science, and Transportation Committee	With over 10,000 drunk driving-related deaths in 2017, mandatory alcohol detection systems in new vehicles could significantly combat this trend. Fleets are identified in the legislation as a key component of testing these systems through the proposed pilot.	NAFA supports the legislation, as it has the potential to increase the deployment of life-saving technologies and will involve fleets managers in the implementation process via pilots and stakeholder committees. - NAFA RIDE Act Support Letter	<u>Low</u>
Vehicle Safety	H.R.3884/S.2227 Marijuana Opportunity Reinvestment and Expungement Act	Decriminalizes marijuana and eliminates it from a list of federally controlled substances. It would also impose a 5% tax on the sales and use of cannabis.	Passed by the House Judiciary Committee and Pending in the Senate Finance Committee	Any changes to the legality of marijuana stand to impact policies on drug testing and drug-impaired motor vehicle and equipment operations.	NAFA does not have an official position on the legislation.	<u>Low</u>
Vehicle Safety	S. 665/H.R. 1511 Stop Underrides Act	Requires underride guards on the sides and front of large trucks and updates the current standards for underride guards on the rear of trucks.	Pending in the Sen. Commerce, Science, and Transportation Committee and Pending in the House Transportation & Infrastructure Committee.	The severe nature of underride-related crashes often renders a passenger vehicle's safety features useless. The current standards only require rear underride guards, but some stakeholders believe the addition of side and frontal guards would be a significant compliance burden.	NAFA does not have an official position on this legislation.	<u>Low</u>

Vehicle Safety	S. 3005 Cullum Owings Large Truck Safe Operating Speed Act of 2019	Requires all new commercial trucks with a GVWR of 26,001 pounds or more to be equipped with speed-limiting devices, set to a max speed of 65 mph hour. The max speed requirement would also be extended to existing trucks that already have the technology installed.	Pending in the Sen. Commerce, Science, and Transportation Committee	The DOT previously issued a notice of proposed rulemaking to mandate speed-limiting devices on CMVs with a max speed to be determined in the final rule. Publication the rule has been since been delayed, but the proposed rule said limiting truck speeds to 65 mph would save 63 - 214 lives per year. However, a limit could also have an impact on driver productivity and freight hauling capacity.	NAFA's Government Affairs Committee is reviewing the legislation.	<u>Low</u>
Vehicle Safety	S. 1971 Used Car Safety Recall Repair Act	Require used car dealers to repair any outstanding safety recalls in used automobiles prior to selling, leasing, or loaning them to consumers.	Pending in the Sen. Commerce, Science, and Transportation Committee	Current federal law does not prohibit car dealers from selling cars with outstanding recalls. The bill defines a dealer as a person that has sold at least ten motor vehicles to one or more consumers in the past 12 months but allows for the exemption of auctioning a used passenger motor vehicle to dealers so long as it does not harm public safety.	NAFA's Government Affairs Committee is reviewing the legislation.	<u>Low</u>
Transportation	S. 569/ H.R. 1374 DRIVE Safe Act	Creates a path for drivers under 21 to obtain an interstate commercial driver's license. The bill requires driver apprentices to complete two probationary periods.	Pending in the Sen. Commerce, Science, and Transportation Committee and Pending in the House Transportation & Infrastructure Committee.	Allowing drivers under 21 to operate CMVs interstate may help in reducing the nation's driver shortage. Stakeholders have voiced concerns over potential safety implications of lowering the age limit.	NAFA does not have an official position on the legislation.	<u>Moderate</u> Broad Stakeholder Support, Possible Inclusion in Must-pass Legislation
Trade	H.R. 5430 United States-Mexico-Canada Agreement Implementation Act	Legislation implementing the United States-Mexico-Canada Agreement (USMCA) , a renegotiation of the North American Free Trade Agreement (NAFTA).	Signed into law 1/31/20	The USMCA is critical to maintaining free trade and avoiding tariffs on goods moving between the U.S., Canada, and Mexico. The three nations have highly integrated markets and disruption of the integrated supply chain is felt via price increases on goods for consumers.	NAFA does not have an official position on the legislation but supports policies that aid price stability within the automotive market.	<u>N/A</u>

Tariffs	H.R. 764/ S. 2409 U.S. Reciprocal Trade Act	Would extend the executive branch's authority to unilaterally increase tariffs as a response to other countries' tariff and non-tariff policies. The executive branch would be able to alter tariff levels on specific products it sees as being unbalanced, instead of broad classifications (e.g., car or truck tariffs vs. automobile tariffs).	Pending in the House Ways & Means and Rules Committees and Pending in the Senate Finance Committee	The executive branch would be granted a wide latitude to impose tariffs on any specific good for essentially any reason it sees fit. Currently, actions by the executive branch to impose tariffs must be taken on some specific legal justification.	NAFA opposes the legislation as any tariff-related action should be grounded in some legal basis and subject to congressional oversight. Manufacturers often pass down increased costs resulting from tariffs on consumers, such as fleets.	<u>Low</u>
Tariffs	S. 287/ H.R. 940 Bicameral Congressional Trade Authority Act of 2019	Would require Congressional approval of tariffs imposed on national security grounds under Section 232 of the Trade Expansion Act of 1962. The approval requirement would apply to all future 232 actions, as well as those taken within the last four years.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means and Rules Committees	The executive branch currently can impose national security tariffs without any congressional oversight. Recently this power has been used in a manner that many lawmakers feel may not have merit.	NAFA supports the legislation, as Congress should be granted some oversight on tariff actions that may have wide-reaching ramifications. - NAFA Support Letter	<u>Low</u>
Tariffs	S. 365/ H.R. 1008 Trade Security Act	Reforms the use of Section 232 national security tariffs. The DOD would lead the investigation phase and justify the national security basis for new Section 232 tariffs, with the Commerce Department leading the remedy phase. Would allow Congress to pass a joint resolution of disapproval for all future Section 232 actions.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means and Rules Committees	The Dept. of Defense is currently left out of the national security investigations process for 232 tariffs, although they may be more well-equipped for conducting such an evaluation. Congress also now had no means of redress for 232 actions it views as unwarranted.	NAFA supports the legislation as it engages DOD expertise in the 232 investigations process and allows for greater congressional oversight. - NAFA Support Letter	<u>Low</u>
Tariffs	S. 121/ H.R. 1710 Automotive Jobs Act of 2019	Requires a study of the well-being of the U.S. auto industry and suspends the investigation into the national security effects of auto imports until the study is completed.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means and Energy & Commerce Committees	The investigation into the national security effects of auto imports has concluded and found that they pose a threat. However, the Administration has yet to take tariffs action as negotiations are pending.	NAFA supports the legislation, as it would still be valuable for a study of the well-being of the U.S. auto industry to be undertaken as 232 tariffs negotiations proceed.	<u>Low</u>

Tariffs	S. 577/ H.R. 1452 Import Tax Relief Act of 2019	Mandates the establishment of an exclusion process for items imported from China from certain section 301 tariffs.	Pending in the Sen. Finance Committee and Pending in the House Ways & Means Committee	Limited exclusion request periods for Chinese goods subject to section 301 tariffs have followed each announcement of tariffed goods. However, there is no permanent exclusion request process in place.	NAFA supports the legislation as several auto parts needed for manufacturing and maintenance are sourced from China.	<u>Low</u>
Alt Fuel Infrastructure & Vehicle Grants	H.R. 5518 To require the Secretary of Energy to carry out a Clean Cities Coalition Program, and for other purposes.	Reauthorizes the Department of Energy (DOE) Clean Cities Coalition Program at \$50 million beginning in fiscal 2020. That level would increase to \$100 million in fiscal 2024.	Passed by the House Energy and Commerce's Energy Subcommittee on 1/9/20. Pending before the full E&C Committee.	The DOE's Clean Cities program awards grants that range from \$500,000 to \$1,000,000 to foster broader adoption of clean vehicles, installation of supporting infrastructure, and continued outreach and deployment activities of renewable natural gas and natural gas-powered vehicles. The current Clean Cities authorization has expired, making it necessary for Congress to issue a further reauthorization.	NAFA supports the legislation and continued funding for the DOE's Clean Cities program. - NAFA Coalition Support Letter	<u>Moderate</u> Broad Support
Emissions Reduction Grants	S. 747/ H.R. 1768 Diesel Emissions Reduction Act of 2019	Reauthorizes the EPA's Diesel Emissions Reduction Act (DERA) program through fiscal year 2024 at its current authorization levels of \$100 million. Also clarifies that EPA must recognize that there are differing diesel vehicle, engine equipment or fleet use concerns in different areas of the country and equalizes funding opportunities between large metropolitan areas and less populated areas.	Pending on the Sen. Legislative Calendar and Passed by the House on 9/9/19.	DERA grants present an opportunity for fleets to upgrade their older diesel engine vehicles for newer, lower-emitting models. The current DERA authorization ended at the end of 2016, making it necessary for Congress to issue a further reauthorization.	NAFA supports the legislation, as continued reauthorization of the DERA program Congress is needed to secure annual funding for the grants. - DERA Coalition Support Letter	<u>Moderate</u> Broad Support, Strong Sponsors

Emissions Reduction Grants	H.R.2741 Leading Infrastructure for Tomorrow's America Act	Reauthorizes the EPA's Diesel Emissions Reduction Act (DERA) program through the fiscal year 2024 at its current authorization levels of \$100 million. Reauthorizes the EPA's Clean School Buses program at \$50 million a year through 2024 and prioritizes grants for buses with low or zero emissions.	Pending before the House Energy & Commerce, Natural Resources, Science, Space, & Technology, Ways & Means, Transportation & Infrastructure, and Education & Labor Committees	Reauthorization of DERA is needed to secure regular funding for the grants fleets use to upgrade older diesel engine vehicles. The changes to the EPA's Clean School Buses program under DERA reflects a growing trend towards sustainability and electrification of fleet vehicles.	NAFAs supports funding for vehicle emissions reduction grants that are directed to the EPA's existing DERA program and not limited to specific initiatives under DERA.	<u>Low</u>
Emissions Reduction Grants	H.R.2906 Clean Commute for Kids Act of 2019	Reauthorizes the EPA's Clean School Buses program at \$50 million a year through 2024 and prioritizes grants for buses with low or zero emissions.	Passed by the House Energy and Commerce's Energy Subcommittee on 1/9/20. Pending before the full E&C Committee.	The changes to the EPA's Clean School Buses program under DERA reflects a growing trend towards sustainability and electrification of fleet vehicles.	NAFAs supports funding for vehicle emissions reduction grants that are directed to the EPA's existing DERA program and not limited to specific initiatives under DERA.	<u>Low</u>
Emissions Reduction Grants	S.1750/ H.R. 3973 Clean School Bus Act of 2019	Establishes a Clean School Bus Grant program at the DOE and authorizes \$200 million a year through 2024 for school districts to switch out diesel bus fleets with electric buses, adopt necessary infrastructure, and workforce development.	Pending before the Senate Energy & Natural Resources Committee and Pending in the House Energy & Commerce Committee	A new Clean School Bus Grant program under the DOE dedicated to electrifying school bus fleets underscores the desire to reduce the harmful impacts of diesel emissions on health and the environment.	NAFAs supports funding for vehicle emissions reduction grants that are directed to the EPA's existing DERA program.	<u>Low</u>
Emission Standards	S. 1022 GAS MONEY Saved Act	Reinstates the 2012 fuel economy and vehicle greenhouse gas emission standards rule and prevents the EPA and NHTSA from lowering the standards.	Pending in the Sen. Environment & Public Works Committee	The executive branch has announced its intention to revise standards that regulate fuel economy and greenhouse gas (GHG) emissions from new passenger cars and light trucks. California is expected to keep up standards established in 2012, setting the stage for a potential patchwork of federal and state standards if the EPA lowers the standards currently in place.	NAFA does not have an official position on this legislation.	<u>Low</u>

Sustainability	Climate Leadership and Environmental Action for our Nation's (CLEAN) Future Act	A broad package of policy proposals to achieve net-zero greenhouse gas pollution no later than 2050. It contains a title on transportation policies, such as more stringent emissions standards, increased multi-year reauthorizations for DERA and the Clean Cities Program, and a rebate program for EV charging infrastructure.	Discussion draft text released on 1/28/20	Many members of Congress share the goal of achieving a 100 percent clean economy by 2050. While a highly partisan proposal, some of these policies could be enacted depending on how the balance of power changes in the future. Transportation-related policies will be a major focus given the impact the transportation sector has on GHG emissions and energy consumption.	NAFA does not have an official position on this legislation but supports specific programs included in the package.	<u>Low</u>
Sustainability	H.R.5545 New Opportunities to Expand Healthy Air Using Sustainable Transportation (NO EXHAUST) Act	Promotes U.S. manufacture and use of advanced, fuel-efficient vehicles, and zero-emission vehicles; creates a rebate program to offset the cost of purchasing and installing new EV charging stations; increases the percentage of alt fueled vehicles that federal agencies must acquire; sets minimum requirements for the percentage of alt fueled vehicles that must be zero-emission vehicles; increases the requirement for federal use of alt fuels; includes requirement to reduce federal fleet GHG emissions.	Passed by the House Energy and Commerce's Energy Subcommittee on 1/9/20. Pending before the full E&C Committee.	The legislation would substantially invest in alt fueled technologies, which is important to developing a market for ZEVs in the U.S. However, standards and requirements related to these technologies may not be feasible for all stakeholders.	NAFA does not have an official position on this legislation.	<u>Low</u>

Issue	Regulation	Agency	Summary	Status	Importance & Implications	NAFA's Position
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Emission Standards	SAFE Vehicle Rules Docket ID: NHTSA-2018-0067 EPA-HQ-OAR-2018-0283	NHTSA/EPA	The first part of the final rule rescinds California’s waiver to set its own GHG emissions standards and makes clear that NHTSA has preemption authority over fuel economy standard .The additional parts of the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule may amends existing Corporate Average Fuel Economy (CAFE) and tailpipe carbon dioxide emissions standards for passenger cars and light trucks and establishes new standards covering model years 2021 through 2026. The rule may retain the model year 2020 standards for both programs through model-year 2026.	“ Part One ” of the Final Rule issued Sept. 27, 2019 “Part Two” Expected Early 2020.	California and states adhering to its vehicle standards want to go above and beyond the federal standards if they view them as inadequate. This may require auto manufacturers to comply with different regulatory requirements. This may result in higher vehicle acquisition costs. Rescinding California’s standard setting authority will create legal challenges and an ambiguous regulatory environment for automakers.	NAFA opposes the revision of vehicle fuel economy and emissions standards that would result in disharmonized federal and state standards.
Emission Standards	Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine Standards Docket ID: EPA-HQ-OAR-2019-0055	EPA/OAR	This action will potentially evaluate data on current NOx emissions from heavy-duty vehicles and engines, and options available to improve control of all criteria pollutant emissions through revised emissions standards. Additionally, this action may evaluate ways to streamline existing requirements.	Advanced Notice of Proposed Rulemaking published 1/21/2020, Notice of Proposed Rulemaking expected 6/2020	Heavy-duty engines have been subject to emission standards for all criteria pollutants, but current data suggest that the existing standards do not ensure full in-use emission control. In-use engine NOx emission levels from heavy-duty vehicles can be significantly higher than their certified values under certain conditions. Reducing NOx emissions from on-highway heavy-duty trucks and buses is important to improving air quality. The current NOx standard was set in 2001.	NAFA is closely following this potential regulatory action. NAFA supports the concept of revising the federal standard for NOx emissions, so those engine manufacturers would not need to comply with differing state-by-state NOx requirements. This rulemaking could potentially lead to both cost-savings and improved air quality.

Vehicle Titling	Odometer Disclosure Requirements Docket ID: NHTSA-2019-0089	NHTSA	Establishes standards under which state DMVs may allow for odometer disclosures in an electronic format in conjunction with electronic titling systems associated with the transfer of interests in motor vehicles.	The final rule was issued on October 2, 2019, with a December 31, 2019, effective date. NHTSA failed to conduct a comment period prior to the final rule but did issue a request for comments on September 27, 2019.	Historically, NHTSA has required sellers to disclose vehicle odometer readings in paper format at the time of sale. This action removes the last remaining Federal impediment to paperless motor vehicle transfers.	NAFA submitted comments in support of the final rule, as deploying electronic odometer disclosure will assist in the full realization of electronic titling, saving fleets time and money when it comes vehicle title-related administrative work. NAFA Comments
Vehicle Technology	AV Pilot Program Docket ID: NHTSA-2018-0092	NHTSA	Request for input on the factors and structure of a national pilot program to test and deploy emerging advanced vehicle safety technologies, in particular, high and full-level Automated Driving Systems (ADS). Issues for consideration included non-traditional controls and current testing regulations and requirements.	Advanced Notice of Proposed Rulemaking was issued on October 10, 2018.	AVs are certain to be a major component in the future of mobility and present many opportunities for fleets. Pilot programs for AV technology are expected to advance the breadth of research and inform the policy debate on regulating the technology to ensure it is developed safely.	NAFA submitted comments in support of an ADS pilot program and encouraged NHTSA to include fleets as stakeholders the proposed pilot. NAFA Comments
Vehicle Technology	ADB Headlighting Systems Docket ID: NHTSA-2018-0090	NHTSA	Amends the FMVSS to allow for Adaptive Driving Beam (ADB) headlighting systems, which are currently not allowed on U.S. roads. Establishes performance and testing standards for the systems.	Proposed Rule issued on October 12, 2018. Final Rule expected 12/2019	ADB headlighting systems are allowed in many overseas markets and represent a significant advancement in the technology to potentially reduce on-road collisions.	NAFA submitted comments in support of the proposed rule and urged NHTSA to harmonize system standards with existing standards in international markets. NAFA Comments
Vehicle Technology	FMVSS V2V Communications Docket ID: NHTSA-2016-0126	NHTSA	Mandate light vehicles to be capable of V2V communication by use of onboard DSRC devices, to broadcast messages about a vehicle's speed, heading, brake status, and other information to other vehicles.	Notice of Proposed Rulemaking issued January 12, 2017. NHTSA has not issued a final rule, and the rulemaking is listed as a long-term action.	Vehicle-to-Vehicle (V2V) communication technology has to the potential to greatly reduce collisions, as it would allow vehicles to communicate and reduce operator errors.	NAFA submitted comments in support of the rule and asked NHTSA to extend the requirements to all vehicle classes and aftermarket V2V systems. NAFA Comments

Vehicle Technology	V2X Communications Docket ID: DOT-OST-2018-0210	DOT	DOT solicited public comments on V2X technology standards considering technological developments, such as dedicated short-range communications (DSRC) and Cellular V2X (C-V2X), on the advanced driver-assistance systems (ADAS) landscape.	Request for Comments (RFC) issued 12/26/2018.	Vehicle-to-Everything (V2X) technology allows for vehicles to actively communicate many elements involved in the driving environment, potentially reducing roadway crashes and fatalities.	NAFA submitted comments through Safety Spectrum Coalition in support of preserving the 5.9 GHz band for V2X technologies. Safety Spectrum Coalition Comments
Vehicle Technology	V2X Technology Waivers DA/FCC #: DA-18-1231	FCC	FCC is solicited input in its response to a petition to allow deployment of cellular vehicle-to-everything (C-V2X) technology in the 5.9 GHz band.	FCC issued a public notice on 12/6/2018. They have been conducting stakeholder meetings on the topic.	Vehicle-to-Everything (V2X) technology allows for vehicles to actively communicate many elements involved in the driving environment, potentially reducing roadway crashes and fatalities.	As a member of the Safety Spectrum Coalition (SSC), NAFA participated in meetings with FCC staff in support of preserving the 5.9 GHz band for V2X safety use. Safety Spectrum Coalition-FCC Meeting Summary
Vehicle Technology	Use of the 5.850-5.925 GHz Band ET Docket No. 19-138	FCC	The FCC is considering a rulemaking to open the lower 45 megahertz of the 5.9 GHz band reserved for auto safety communications technologies (V2X) for unlicensed use (e.g. Wi-Fi). The FCC will also consider portioning the remaining upper 30 Megahertz between DSRC and C-V2X technology.	The FCC voted On 12/12/19 to issue a notice of proposed rulemaking (NPRM) to open a portion of the 5.9 GHz Safety Band Spectrum, for use by Wi-Fi providers.	Opening up the 5.9 GHz airwaves, which are currently reserved for transportation and vehicle safety-related communications, presents serious concerns regarding the safety of competing technologies as well as for interoperability. Testing is still underway on these technologies and OEMs have currently yet to decide on a single technology standard.	NAFA has been vocal in supporting the preservation of the full 5.9 GHz band for transportation safety communications, such as DSRC and C-V2X, alongside members of the Safety Spectrum Coalition . NAFA submitted comments on the FCC's proposed rulemaking . - NAFA Comments on FCC Rulemaking - NAFA Statement on FCC Proposal
Vehicle Technology	Ensuring American Leadership in Automated Vehicle Technologies: AV 4.0	DOT	AV 4.0 expands DOT's policy guidance outlining how the federal government will be promoting unified federal rules across the various departments and agencies for the development of self-driving car technology.	DOT published the AV 4.0 document on January 8, 2020	The document helps provide guidance on where the DOT sees the advancement of policies and regulations for AV technology in the future.	NAFA supports the development of regulations that pertain to autonomous vehicle technology.

Transportation Safety	Safe Management of Recalled Airbags Docket ID: EPA-HQ-OLEM-2018-0646	EPA	Exempts dealerships, salvage yards and other locations for safe and environmentally sound disposal from hazardous waste requirements to expedite the removal of defective Takata airbag inflators.	Interim Final Rule issued and effective on November 30, 2018. Final Rule expected 04/2020	Many vehicles were impacted by the recall of defective Takata airbag inflators, and EPA regulations for hazardous waste disposal were slowing the removal process as only some entities could perform the removal.	NAFA supports the EPA's interim final rule, as it helps speed up removing potentially lethal airbag inflators from vehicles.
Transportation Safety	Hours of Service of Drivers Docket ID: FMCSA-2018-0248	FMCSA	Revises existing Hours of Service (HOS) rules for drivers of CMVs to allow them to satisfy the 30 minute break requirement while on duty, allowing them to split up 10-hour off duty time, 30 minute – 2 hour off duty breaks would pause the 14 driving window, 14 hour driving window could be extended for 2 hours in adverse driving conditions, and short haul truckers driving window would be extend from 12 hours to 14 and 100 miles to 150 miles.	Notice of Proposed Rulemaking and Comment Period opened on 8/20/19. Final rule pending review by the White House Office of Management and Budget (OMB) for approval.	Many reported that the recently implemented electronic logging device mandate that strengthens monitoring of HOS for CMV operators led many to drive more recklessly in a "race against the clock". The revisions to the rule are intended to give more flexibility to drivers under enforcement.	NAFA is reviewing the proposed rule.
Transportation Safety	Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators Docket ID: FMCSA-2007-27748	FMCSA	The FMCSA issued a final rule in 2016 to establishes new minimum training standards for certain individuals applying for the time for or upgrading their commercial driver's license (CDL), known as the ELDT Rule.	Interim Rule issued on 02/04/2020 to extend compliance deadline to 02/07/2022	The FMCSA has said that State Driver Licensing Agencies (SDLAs) needed additional time to modify their IT systems and procedures to accommodate ELDT data.	NAFA supports efforts to enhances the safety of commercial motor vehicle (CMV) operations on the road and hopes that the full implementation of the ELDT rule is completed in a way that benefits both the public and commercial.
Workforce	Pilot Program to Allow Drivers under 21 to Operate CMVs in Interstate Commerce Docket ID: FMCSA-2018-0346-0001	FMCSA	Requesting comments on the training, qualifications, driving limitations, and vehicle safety systems that FMCSA should consider in developing options or approaches for a pilot program for under 21 CMV interstate drivers.	Request for Comments (RFC) issued 5/15/2019.	Allowing drivers under 21 to operate CMVs interstate may help in reducing the nation's driver shortage. Stakeholders have voiced concerns over potential safety implications of reducing the age limit, but a pilot program to study the impacts may alleviate some of those concerns.	NAFA supports the development of a pilot program to study the impact of allowing under 21 CMV drivers to operate interstate.

Renewable Fuel	Year-round Sale of E15 Blended Gasoline Docket ID: EPA-HQ-OAR-2018-0775	EPA	Proposed changes would allow for gasoline blended with 15 percent ethanol to be sold during the summer months.	Final Rule published June 10, 2019.	E15 fuel has been determined not to be suitable to the engines of many nonroad and older model-year vehicles.	NAFA does not have an official position on the sale of E15 during the summer months. NAFA is concerned about the impact high ethanol blend fuels have on vehicles and efforts to prevent consumer misfuelling, given potential risks involving damage to engines and underground fueling systems.
Renewable Fuel	Renewable Fuel Standard (RFS) Proposed Volume Standards for 2020, and the Biomass-Based Diesel Volume for 2021 Docket ID: EPA-HQ-OAR-2019-0136	EPA	The final rule sets blending quotas for refineries for biofuel, advanced biofuel, and total renewable fuel for the calendar year 2020, as well as biomass-based diesel volume standards for 2021.	Final rule announced on 12/19/19.	The annual RFS volume standards can have an impact on the pricing and availability of renewable fuel blends.	NAFA does not have an official position on the proposed RFS volume standards. NAFA supports fuel pricing stability and monitors the potential impact high ethanol blend fuels have on vehicles and underground fueling systems.
Tariffs	Section 232 National Security Investigation of Imports of Autos and Auto Parts Docket ID: DOC-2018-0002-0001	DOC	The Department of Commerce initiated a Section 232 national security investigation on imports of automobiles, including cars, SUVs, vans and light trucks, and automotive parts. A potential 25% tariff on autos and auto parts could be imposed as a result of the DOC's findings in the investigation	The investigation was initiated on May 23, 2018, and the DOC published a notice that it would receive public comments and hold hearings on the investigation on May 30, 2018. On Feb 17, 2019, the DOC sent a report to the White House finding that imported autos and auto parts threaten to impair U.S. national security. On May 17, 2019, the White House announced that the imposition of tariffs on foreign autos and auto parts would be delayed for up to 6 months, pending negotiations.	The highly globalized supply chain the industry relies on would be upended if 25% tariffs were imposed. Both foreign and domestic automakers would be negatively impacted, and costs would be likely be passed down to consumers. On March 6, 2020 a group of Senators filed an Amici Curiae brief in a lawsuit to compel the release of the DOC's 232 report on imported autos.	NAFA submitted comments in opposition to the imposition of a 25% tariff on autos and auto parts, citing the adverse impact it would have on the auto industry and subsequently fleets. NAFA Comments