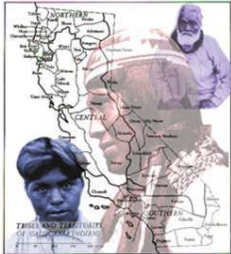


# Tribal Transportation News



A Publication of the California/Nevada TTAP  
Published by the National Indian Justice Center



## Defining Partnerships



### “Proposition 209 Does Not Prohibit Inclusion of TERO Provisions CalTrans Contracts”

*A Tribal Employment Rights Ordinance (TERO) is a legislative act adopted by the governing body of a federally recognized tribe. While each tribe has the sovereign right to adopt any language that it chooses, a TERO generally governs the contracting provisions between a tribe and any contractor and may include provisions concerning: Announcement and advertising of jobs; Indian preference in hiring goals; Permits to do business on tribal lands; TERO tax; Training and/or skills requirements; Discrimination; Fees; Personnel policies; Inspections Dismissal/Lay offs; and Non-compliance.*

On February 14, 2005, a dispute developed between the Smith River Rancheria and the California Department of Transportation (CalTrans) concerning the tribe’s assertion that its TERO must be applied to all projects and contractors. A contractor for a project involving a state right-of-way falling within reservation boundaries refused to sign a form acknowledging the applicability of TERO to the project. Consequently, the CalTrans Civil Rights Division requested an opinion from the CalTrans Legal Division concerning its legal obligation to enforce TERO provisions in its contracting. After various discussions among the members of CalTrans Native American Advisory Committee, the Native American Liaison Branch, previous Director Kempton, Civil Rights Division and other Legal Department representatives, Director Kempton instructed the Native American Advisory Committee Chair that the decision would be left to the Attorney General’s Office.

On January 3, 2006, the Legal Department of the California Department of Transportation (CalTrans) prepared a request for a legal opinion from the California Attorney General’s Office regarding CalTrans inclusion Tribal Employment Rights Ordinance (TERO) provisions in projects contracted and to be performed on and/or near tribal lands in California. After four years including the election of Attorney General Edmund G. Brown, AG’s opinion number 07-304 was released on March 8, 2010.

In its original memorandum, CalTrans’ Legal Department presented the following questions to the AG’s Office:

1. Can the Department recognize and comply with Native American TERO hiring preferences and reimburse its contractors that recognize the TEROS?
2. Can the Department pay a tribe imposed TERO tax for projects and if so, can it pay the tax on State owned rights-of-way on the reservation?

In its memorandum, the CalTrans’ Legal Department concluded with respect to question (1) that Art. 1, sec. 31(a) of the California Constitution (a.k.a. Proposition 209) prohibited state agencies from granting preferential treatment in the operation of public employment, contract or education. Consequently, the Department halted its practice of employing and enforcing TERO provisions in its contracts for all projects near tribal lands. In effect, this action violates the Department’s policy DD-74-R which states that “[t]he Department encourages Native American employment opportunities on transportation projects and supports TERO adopted by federally recognized California Native American Tribes.”

With respect to question (2), the Legal Division asserted that “[r]egarding the tribal tax, generally, absent some congressional authority, an Indian tribe has no regulatory authority over non-tribal members for activities on reservation ‘land alienated to non-Indians.’” CalTrans’ reasoning in this instance is a misstatement of the existing federal case law.

(Continued on page 4)

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CA/NVTTAP is administered by the NIJC. If you would like to submit an article or graphic (jpg or tiff format) for publication in Tribal Transportation News, please send a text file (PC format) to Barry Litchfield, TTAP Coordinator/Editor, [barry@nijc.org](mailto:barry@nijc.org), along with a cover email giving us permission to print your article. We appreciate your submissions!

*The National Indian Justice Center is located in Santa Rosa, California. NIJC's building also houses the administrative offices of the California Indian Museum and Cultural Center, the Intertribal Court of California and the Regional Tribal Justice Center. Construction is currently underway for the California Indian Museum and Cultural Center, which will include a storytelling venue, Native plants garden, California Indian foods, a small Native village, audio-visual displays that highlight California Indian history and the contributions of California Indians, as well as Edward Curtis prints and traveling exhibits. If you are in the area, please come visit and tour the facilities.*

**DIRECTIONS**

**From the North:**

Highway 101 to the Airport Boulevard Exit. Left on Airport Blvd. continue through the intersection at Fulton Road, drive 2 blocks and make a right on Aero Drive. NIJC is located on the left, 1 block into Aero Drive.

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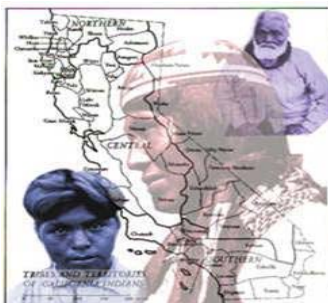
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## Cobell Settlement: Opportunities for Tribes and Tribal Organizations to Share Informa- tion

On December 7, 2009, the federal government and the plaintiffs announced a proposed \$3.4 billion settlement of the Cobell v. Salazar litigation regarding individual Indian trust funds. The settlement requires approval by Congress, and President Obama has proposed that the settlement be included in FY2010 Supplemental Appropriations. This is a rapid process for approval. It is important that Indian account holders have an opportunity for Indian Country to understand what is being proposed. At the same time, there is a need for expedited consideration by Congress because of the Congressional calendar and the possibility that further developments in the litigation will jeopardize the settlement.

As a result, NCAI is encouraging all tribal governments and all tribal regional organizations to rapidly hold meetings and share information among individual Indian account holders and individual Indian trust land owners. The Cobell plaintiffs are also holding various meetings around Indian Country to explain the proposed settlement and answer questions from affected Indian people.

The primary source of information is the Cobell plaintiffs' website that is at the following link: [www.cobellsettlement.com](http://www.cobellsettlement.com). It has copies of the legal settlement documents as well as answers to frequently asked questions. There is also a different set of questions and answers on the Department of Interior website at <http://www.doi.gov/ost/cobell/index.html>

NCAI has prepared a brief summary of the settlement that can be accessed at: <http://www.nijc.org/ttap.html>.

There is also information available on the website of the Intertribal Monitoring Association on Indian Trust Funds at [www.itmatrustfunds.org](http://www.itmatrustfunds.org).

If you would like to contact Congress about the settlement, please contact your state Senators and Representative. You may also wish to contact:

**Chairman Byron Dorgan**  
Committee on Indian Affairs  
United States Senate  
Washington, DC 20510  
[comments@indian.senate.gov](mailto:comments@indian.senate.gov)

**Chairman Nick Rahall**  
Committee on Natural Resources  
U.S. House of Representatives  
Washington, DC 20515  
Fax: (202) 225-7094

(TERO..Continued from page 1)

While there is a presumption that tribes do not have regulatory authority over non-Indians on non-Indian owned fee land within the reservation (which included proven state rights of way), there are two very well known and exercised exceptions to the rule as stated in the Montana Test:

The U.S. Supreme Court recognizes two exceptions to the main rule:

*[T]ribes retain inherent sovereign power to exercise some forms of civil jurisdiction over non-Indians on their reservations, even on non-Indian fee lands. [First, a] tribe may regulate, through taxation, licensing, or other means, the activities of nonmembers who enter consensual relationships with the tribe or its members, through commercial dealing, contracts, leases, or other arrangements. [Second, a] tribe may also retain inherent power to exercise civil authority over the conduct of non-Indians on fee lands within its reservation when that conduct threatens or has some direct effect on the political integrity, the economic security, or the health or welfare of the tribe. 450 U.S. at 565-66.*

In the AG's Opinion, written by Deputy Attorney General Daniel Stone, the questions that were addressed are as follows:

1. Does article I, section 31, of the California Constitution bar the Department of Transportation from including hiring preferences established by Tribal Employment Rights Ordinances and permitted by federal law, as part of its contracts for highway construction and maintenance work performed on Indian tribal lands?
2. If the Department of Transportation is not constitutionally prohibited from including such hiring preferences as part of its contracts, does it have existing statutory authority to do so?
3. Is the Department of Transportation subject to, and authorized to pay, tribal taxes established by Tribal Employment Rights Ordinances for highway work performed within Department rights of way on tribal lands?
4. Where such highway work within Department rights of way is conducted by private contractors and subcontractors of the Department of Transportation, rather than by Department employees, are such contractors and subcontractors subject to taxes established by Tribal Employment Rights Ordinances?

And the conclusions of the AG's Office are as follows:

1. Article I, section 31, of the California Constitution does not prohibit the Department of Transportation from including Indian hiring preferences established by Tribal Employment Rights Ordinances and permitted by federal law, as part of its contracts for highway construction and maintenance work performed on Indian tribal lands, as a matter of government-to-government agreement.
2. Under its existing statutory authority, the Department of Transportation may include such hiring preferences as part of its contracts for highway construction and maintenance work performed on or near tribal lands.
3. The Department of Transportation is not required to pay taxes established by Tribal Employment Rights Ordinances for highway work performed on roads located within Department rights of way on tribal lands, but neither is the Department prohibited by law from voluntarily paying Tribal Employment Rights Ordinances fees or taxes if the Department, in its reasonable exercise of discretion, concludes that such payments further its authorized purposes.
4. Where such highway work within Department rights of way on tribal land is performed by private contractors and subcontractors of the Department of Transportation rather than by Department employees, the tribes lack jurisdiction to require the state's contractors and subcontractors to pay taxes established by Tribal Employment Rights Ordinances.

These conclusions and the analysis supporting them are logical within the boundaries of accepted Federal rules and case law. From the time that this dispute originated, tribes were aware that the inclusion of TERO provisions in state contracts were permissive but in no way prohibited by Prop. 209. "The question that remains is 'Who has the documentation for the rights of way running through tribal lands?' This question should be answered by tribes, State DOTs and the Bureau of Indian Affairs soon." Rights of way granted over trust lands have a varying characteristics and may include jurisdictional rights reserved to the tribe. The burden will be on the state to prove that it in fact has a right of way exclusive of tribal jurisdiction. CalTrans, the Tribes and BIA should address this issue before litigation is necessary.

To obtain a copy of the AG Opinion, CalTrans Memorandum to the AG and the National Indian Justice Center's response to the CalTrans Memorandum, visit <http://www.nijc.org/TERODocs.html>.

# 79 Billion Budget for the U.S. Department of Transportation Promotes Safety, Infrastructure Investment and Livable Communities

*From U.S. Department of Transportation*

U.S. Transportation Secretary Ray LaHood said President Obama's \$79 billion budget for the U.S. Department of Transportation continues strong levels of investment for safety, the department's top priority, along with critical investments for infrastructure to generate economic growth and support livable communities.

"President Obama's budget builds on an historic first year for this Department of Transportation," said Secretary LaHood. "In addition to making critical investments in our nation's infrastructure, we jump-started high-speed rail across America, launched a campaign against distracted driving and proposed landmark transit safety legislation. This budget reflects our priorities and values by continuing to invest in safety, livable communities and an improved national transportation system."

Secretary LaHood said the budget promotes safety in a number of areas, starting with a new \$50 million incentive grant program to the states to combat distracted driving. Since Secretary LaHood convened a national Distracted Driving Summit last fall, he has undertaken a nationwide campaign to put an end to the deadly epidemic.

The budget further advances traffic safety with \$12 million to improve the New Car Assessment Program (NCAP) Five-Star Safety Rating System, which is used to rank the safety of new automobiles, and 66 additional personnel in the National Highway Traffic Safety Administration assigned to highway and vehicle safety issues.

Safety personnel will be added across agencies, with \$7 million and 118 people for additional motor carrier safety inspectors; \$14 million for the FAA to hire 82 new safety and certification inspectors and safety technical specialists; and \$1.4 million to the Pipeline and Hazardous Materials Safety Administration to continue carrying out their action plan to address pipeline and hazardous material safety.

Aviation safety is a top priority. NextGen air traffic control technologies will receive \$1.1 billion, an increase of \$275 million, 32 percent, over the FY 2010 enacted levels.

The budget also places a strong emphasis on transit safety by including \$30 million and up to 260 positions to support the Obama Administration's Public Transportation Safety Program Act of 2009, which the administration proposed to congress last year to ensure a high and standard level of safety across all transit systems.

Recognizing that a strong transportation infrastructure is an engine for future economic growth, Secretary LaHood announced that the budget establishes and provides \$4 billion for a National Infrastructure Innovation and Finance Fund (NIIF) to issue grants and loans in support of projects that provide a significant economic benefit to the nation or a region.

The budget includes an additional \$1 billion for high-speed rail, coming on the heels of President Obama and Vice President Biden's January 28 announcement of \$8 billion in Recovery Act funds for states across the country to develop America's first nationwide program of high-speed intercity passenger rail service.

Secretary LaHood also highlighted the importance of livable communities, and providing greater choices for transportation users through the integration of transportation, housing and commercial development decisions. This budget provides \$527 million for livable communities by establishing an Office of Livable Communities, creating a program to improve local and state project planning and development capabilities, and funding programs that expand transit access for low-income persons.

Budget Highlights can be found at:  
<http://www.dot.gov/affairs/2010/Budget.pdf>



# California Department of Transportation

## Environmental Justice Grant Program



The Caltrans Environmental Justice Grant Program is designed to help low-income and minority communities and Native American Tribal Governments overcome issues related to enhancing access to transit, improving access to jobs, creating economic and employment opportunities, addressing noise and air pollution caused by major highway, freight, and aviation facilities, and improving pedestrian and bicycle safety.

Grant applicants must clearly demonstrate how their proposed planning project promotes federal and/or state transportation planning goals. Grant applicants must clearly demonstrate how projects must align with other planning efforts.

Every Caltrans Transportation Planning Grant proposal should be coordinated with the transportation planning efforts taking place under the region's Regional Transportation Planning Agency (RTPA) or Metropolitan Planning Organization (MPO). Additionally, all applications should be in accord with that region's Blueprint Plan and Sustainable Communities Strategy (SB 375) if applicable. Regional Blueprints and Sustainable Communities Strategies are tools that will help communities reduce greenhouse gases and will assist transportation agencies in creating enduring communities for residents throughout the entire State.

The program is intended to promote the involvement of low-income and minority communities, Native American Tribal Governments, and underserved populations in transportation planning projects that:

- Improve mobility and access to transit;
- Support environmental justice principles;
- Stimulate economic development and support economic growth;
- Create opportunities for affordable housing; and
- Improve pedestrian & bicycle safety.

The criteria for evaluating the grant applications include the following categories:

- Project Description and Justification
- Environmental Justice Planning Grant Program Goals
- California Transportation Plan Goals
- Public Participation

The first goal is to improve mobility and accessibility. Projects should include elements that look to expand the transportation system and enhance modal choices for underserved communities. The next goal is to preserve the transportation system.

Project proposals should include elements that support the economy. This is especially important for low-income, minority, and Native American Tribal communities. Projects should enhance public safety and security for people, goods, and services for all modes of transportation. Project proposals should also include activities that look to protect the environment, wildlife, and historical and cultural assets.

Public participation is critical to meeting these principles. It is important for the applicant to identify the methods that will be used to reach out to the stakeholders and get them involved with the project. Of particular interest is how the applicant intends to reach the traditionally underserved members of the community that may face barriers related to language proficiency and/or socioeconomic status.

To have a successful grant application all of the application questions must be answered and the grant program requirements are met. One of these requirements is the local match. Each successful grant applicant and subsequent recipient is required to have at least a 10 percent match of the requested grant amount. Up to one half of the local match may be in-kind.

*(Continued on page 7)*

(Continued from page 6)

The grant funds are intended for planning-related activities that are identified in the project scope of work. The funds are not to be used for capital projects or supplementing government agency budgets. Lastly, for applicants that receive grant funding, all eligible expenses are reimbursable, minus the 10 percent local match. The expenses have to be consistent with the project scope of work.

Projects that only addresses two of these goals will not necessarily receive a lower score. However, projects that meet three or more CTP goals tend to perform better in the evaluation process. The 3 E's should be considered when developing your project proposals. The 3 E's include creating healthy environment, strong economy, and social equity.

The following are examples of two FY 09 approved Tribal Environmental Justice Projects:

- *The Karuk Tribe is proposing to develop a comprehensive community-based transportation plan that improves mobility, access, and safety and promotes environmental justice and economic opportunities for the underrepresented communities of Orleans, Somes Bar, and Happy Camp. The Middle Klamath River Community Transportation Plan will be used to prioritize future transportation improvements.*
- *Reservation Transportation Authority. The project involves developing Transportation Demand Management (TDM) strategies that reduce single occupancy vehicle use, traffic congestion, and air pollution, and provide equitable commuting opportunities for Tribal enterprise employees in Riverside and San Bernardino Counties. The project also involves creating the first Tribal Transportation Management association (TMA) that will implement the TDM strategies and develop an ongoing TDM program targeting sovereign Tribal governments and their gaming enterprises in the region. The final project deliverables will include a business plan, marketing plan, and implementation strategy that will facilitate the development and formation of the Tribal TMA.*

## GRANT CYCLE

The next deadline for submission should be 4/1/2011. For more information, visit the following websites:

CalTrans Planning Grant Programs Website  
Environmental Justice Power Point Presentation and Video  
<http://www.dot.ca.gov/hq/tpp/grants.html>

Transportation Planning Grants Guide  
[http://www.dot.ca.gov/hq/tpp/grant\\_files/1011/FY10-11\\_Transportation\\_Grants\\_Guide.pdf](http://www.dot.ca.gov/hq/tpp/grant_files/1011/FY10-11_Transportation_Grants_Guide.pdf)

Community-Based and Environmental Justice Transportation Planning Grants Handbook  
[http://www.dot.ca.gov/hq/tpp/offices/ocp/ej\\_cbtp\\_toolbox\\_files/PDFs\\_of\\_files/EJ\\_CBTP\\_Handbook\\_v8revisions.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/ej_cbtp_toolbox_files/PDFs_of_files/EJ_CBTP_Handbook_v8revisions.pdf)

If you are interested in attending a specific Environmental Justice Grants writing training session or webinar, please contact us at [barry@nijc.org](mailto:barry@nijc.org).



## U. S. ENVIRONMENTAL PROTECTION AGENCY FINAL RULE

The U.S. Environmental Protection Agency (EPA) is promulgating effluent limitations guidelines (ELGs) and new source performance standards (NSPS) to control the discharge of pollutants from construction sites. This rule requires construction site owners and operators to implement a range of erosion and sediment control measures and pollution prevention practices to control pollutants in discharges from construction sites. The rule requires construction site owners and operators disturbing one or more acres to use BMPs to ensure that soil disturbed during construction activity does not pollute nearby water bodies. Owners and operators of sites that impact 10 or more acres of land at one time will be required to monitor discharges to ensure that they comply with specific limits to minimize impacts on nearby water bodies. Construction sites disturbing 20 or more acres at one time will be required to conduct monitoring of discharge and comply with the limitations beginning in August 2010. Four years later the rule will apply to all sites that disturb 10 or more acres at one time.

In the final rule the maximum daily discharge limitation will be 280NTUs. The rule is designed so permittees may select suitable practices or technologies for the specific site. Permittees are required to implement a range of pollution prevention measures to control discharges from activities such as dewatering and concrete washout. The rule contains stringent requirements for soil stabilization. The rule is expected to reduce the amount of sediment discharge from construction sites by about four billion pounds per year.

EPA currently issues permits for construction activities in four states, the District of Columbia and in certain U.S. territories and tribal areas. The EPA Construction General Permit (CGP), which is set to expire on June 30, 2011, will be updated to include the new requirements when reissued. The remaining states issue their own construction general permits, and the new requirements must be incorporated into any new general permits issued after the effective date of the regulation, which is 60 days after publication in the Federal Register. The requirements also apply to individual permits issued by states or EPA. Therefore, the implementation date of the new requirements will vary depending on when states reissue their permits and whether projects are covered by individual or general permits.

To view the details of the Final Rule got to:  
<http://www.epa.gov/guide/construction/>

## U.S. DEPARTMENT OF AGRICULTURE NEW FUNDING

**Agriculture Secretary Vilsack announces funding to improve transportation, generate economic opportunity in rural and Native American communities.**

USDA has selected the Community Transportation Association of America to receive grant funding that will be used to help bring transportation improvements to rural areas in seven states.

The Community Transportation Association of America (CTAA) was selected to receive \$750,000 in grants to provide technical assistance to organizations in their efforts to enhance passenger transportation service in rural areas and rural Native American communities and improve modes of transportation in those areas.

Of the \$750,000, \$500,000 will be used to assist organizations in Alaska (Rural areas surrounding Fairbanks); Illinois (Warren and Henderson Counties); Maine (Cumberland County); and New Jersey (Cape May). The remaining \$250,000 will be used to assist several Native American communities and tribal organizations with transportation improvements and planning in Mississippi (The Mississippi Band of Choctaw in Neshoba County); New Mexico (The Pueblo of Acoma) and (The Ohkay Owingeh Pueblo); and Oklahoma (Roger Mills, Dewey, Custer, Washita, Blaine, Canadian and Kingfisher Counties).

USDA's Rural Business Enterprise Grant program continues to bring economic opportunity to rural citizens. One recent successful undertaking involved a project that benefited the Oglala Sioux Tribe based in Pine Ridge, S.D. Plagued by high unemployment, isolation and other social issues, the Tribe received assistance from a 2002 study that was conducted by the Community Transportation Association of America (CTAA) to develop a transit and facility plan. CTAA worked with a consultant to develop a decentralized, fixed-route transit system designed to serve the tribe's 42,000 members who live on the reservation. Since service on the system began last year, it has helped reduce pedestrian-related accidents, while increasing employment opportunities and access to education and human services for tribal members of all ages. The transit system includes a full service maintenance facility and administration offices, along with vehicles and satellite facilities.

The funding for this program is administered through USDA Rural Development's Rural Business Enterprise Grant program (RBEG). It will be provided for projects where at least three-quarters of the benefits will be received by members of a Federally Recognized Tribe. The beneficiary of the project may also be a tribally-owned business venture. Funding is contingent upon the recipient meeting the conditions of the grant agreement. These funds are not from the American Recovery and Reinvestment Act.



## Transportation Secretary Announces Nearly \$94 Million for Federal Lands Road Projects in 31 States

WASHINGTON - Sixty-eight road projects in 31 states will receive \$93.9 million in Public Lands Highways grant funds to improve access to public lands, U.S. Secretary of Transportation Ray LaHood announced.

"The roads that carry America to and through its national parks, tribal lands or any of the other federal lands need help, just like the rest of the national highway system," said Secretary LaHood. "These funds will help protect the roads for the many who depend on them and improve the quality of life for communities served by these unique places."

The funds will improve and increase accessibility on the lands of 15 Native American tribes, 11 military bases, 19 national park units, 10 national forests and four national wildlife refuges.

Unlike most of the nation's public roads which are managed by state departments of transportation, federal lands roads are maintained by various tribal and federal agencies. Funds from the Public Lands Highways grant program supplement their existing infrastructure programs. They can also be used for cities and counties that are responsible for the roads providing access to federal and tribal lands.

Examples of this year's grant recipients include:

- More than \$4 million will be used to help improve road access to the Flight 93 National Memorial in Stonycreek Township, PA.
- Nearly \$3 million will be used for road improvements near the forthcoming American Veterans Disabled For Life Memorial in Washington, D.C., between I-395 and the U.S. Capitol. The memorial is anticipated to be completed by 2012.
- Nearly \$2 million will be used to make tribal road improvements on the Standing Rock Sioux reservation in North Dakota.
- Nearly \$1 million will be used for alternative transportation improvements around the Fort Baker area in the Golden Gate National Recreation Area in California. This work includes pedestrian connection improvements, upgrades to National Park Service shuttle buses, planning for bio-diesel refueling capacity, and installation of signs, bicycle racks, benches and other related equipment.
- More than \$1 million will be used to complete construction of the SR 101/ t3ba'das Parkway on the Skokomish Indian Reservation, Washington.

This is the largest amount of grant funding awarded to public lands roads since 2002, and the second largest in the 79-year history of the Federal Highway Administration's Public Lands Highways program.

The California and Nevada list of the 2009 recipients is below. Additional detail about the program can be found online at <http://flh.fhwa.dot.gov/programs/plh/discretionary>.

STATE	PROJECT DESCRIPTION	TOTAL FUNDING
CA	Bald Hill Slide Mitigation, Hoopa Reservation	\$812,500
CA	Forest Highway 171 Widening, Butte County	\$1,998,450
CA	Fort Baker Transportation Upgrades	\$975,000
CA	Needles Highway, Needles	\$3,800,000
CA	Presidio Transportation Demand Management Project, San Francisco	\$1,012,500
CA	South Access to the Golden Gate Bridge, Doyle Drive, City and County of San Francisco	\$2,612,500
CA	State Route 88 Pine Grove Corridor Improvement Project, Amador County	\$180,500
NV	Boulder City Bypass Improvements, Boulder City	\$855,000
NV	Extension of Starr Road to Saint Rose Parkway and Henderson Starr Road Interchange at I-15	\$1,187,500
NV	I-15 Sloan to Apex Interchange	\$475,000
NV	Pyramid Lake Highway Corridor, Sparks	\$1,425,000
NV	Southern Nevada Beltway Interchanges	\$2,850,000
NV	SR-160 Blue Diamond Highway -- Las Vegas to Pahrump	\$2,612,500
<b>TOTAL</b>		<b>\$20,796,450</b>



## **I-15 Design-Build Project**

*Building Nevada's Future*

### **NDOT Finishes First Design-Build Road Project**

By Tony Illia , Las Vegas Business Press

It's never easy being first; it often leads to triumph or disaster. The Nevada Department of Transportation recently finished the first design-build road job in its nearly 100-year-old history. The \$242 million widening of Interstate 15 north from the Spaghetti Bowl interchange north to Craig Road in North Las Vegas recently finished early, marking a major triumph for the state.

"Design-build allows teams to come up with some different ideas," NDOT Assistant Project Management Chief Jeff Hale said. "It gives us the ability to change things on the fly as necessary."

In July 2007, North Corridor Constructors, a 50-50 joint-venture of Las Vegas Paving Corp. and CH2M-Hill Inc. of Englewood, Colo., won the 5.8-mile-long project. It cinched the contract with an aggressive schedule and added value that included replacing, rather than widening, three aging bridges. The undertaking called for intricate phasing and traffic control as well as construction of 16 new bridges, interchange reconfigurations and 406,000 cubic yards of asphalt paving.

"The time savings is huge," North Corridor Constructors project manager Joseph Schroeder said. "It took a five-and-a-half year project and condensed it down to less than three years."

The state until now had relied on a more traditional project approach. It, like other agencies, often uses a design-bid-build procurement method that awards contracts based on price alone as opposed to best value or most-qualified. The low-bid process often creates an adversarial relationship between project stakeholders, resulting in a dogfight for the project. A bargain upfront can often prove costly in the long haul with change orders and cost overruns, delays and lawsuits.

Design-build, by contrast, creates single-source responsibility for construction cost, schedule and quality. The contractor and architect work together as a single entity, eliminating finger-pointing. Design-build encourages collaboration, innovation and creativity, often resulting in a better project.

Design-build gets everyone on the same page, with the designer, builder and owner working together in a transparent fashion," Schroeder said. "Constructability issues get addressed on paper, thereby reducing change orders and cost overruns."

North Corridor Constructors wasted no time getting started by performing site work while design work occurred. The project expanded I-15 from six to 10 lanes from the Spaghetti Bowl interchange to Lake Mead Boulevard, and from four and five lanes to eight lanes between Lake Mead Boulevard and Craig Road. On- and off- ramps at all four interchanges along the route have also been configured, including D Street, Lake Mead Boulevard, Cheyenne Avenue and Craig Road, while auxiliary lanes have been added between the interchanges. Forty-year-old bridges at Bonanza Road, D Street and Washington Avenue were reconstructed, and a new four-lane connecting road was added between I-15 and Bonanza Road, linking D and F streets.

For local drivers, the improvements are a welcome relief. The roadway segment is sorely outdated, with portions having been built in the late 1960s. The stretch of interstate now sees more than 170,000 vehicles a day or about 30 percent more than its design capacity, resulting in frequent gridlock. A January 20th ribbon-cutting ceremony ushered in the newly improved section of interstate.

# RECENT TRANSPORTATION LEGISLATION

This information is provided expressly for educational purposes. The CA/NV TTAP hopes to inform and educate tribal communities about legislation that may impact California and Nevada tribal communities and their tribal transportation programs. The following legislation was current at the time of publication. Legislation may change or be repealed. For further information, please check the status of the legislation at the respective website sources noted below.

## STATE LEGISLATION



## CALIFORNIA

(For more information, go to <http://www.leginfo.ca.gov/bilinfo.html>)

**State Implementation of the American Recovery and Reinvestment Act of 2009**, Economic Recovery Pothole  
Go to: <http://www.recovery.ca.gov/>

### Assembly Continuing Resolution No. 56

As amended Assembly Member Huffman.

Status: 8/25/09 Senate Committee on Governmental Organization.

This measure would call upon the Governor to refrain from negotiating a tribal-state gaming compact, with respect to specified gaming proposals on nontribal lands, until the land upon which the gaming will occur has been taken into trust for the tribe, the tribe has jurisdiction over the land, and the local jurisdiction and the local community in which the tribe's proposed gaming project would be located actually support the project.

### Assembly Bill No. 672

Assembly Members Bass and Eng, introduced 2/25/09.

Status: 10/11/09 Referred to Committee on Appropriations. Chaptered by Secretary of State.

Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes. This bill would authorize a regional or local agency that is a lead agency for a project or project component for which bond funding has been programmed, or to apply to the administrative agency for a letter of no prejudice that would make the regional or local agency eligible to be subsequently reimbursed from bond funds for expenditures of funds under its control for the project or project component.

### Assembly Bill No. 726

Assembly Members Nielsen and Arambula, introduced 2/26/09.

Status: 7/7/09 Referred to Senate Committee on Transportation and Housing.

This bill would state that local road rehabilitation projects are eligible for transportation capital improvement funds pursuant to state transportation improvement programs (STIP) process.

### Assembly Bill No. 798

Assembly Member Nava, introduced 2/26/09.

Status: 10/11/09 Referred to Senate Committee on Appropriations. Chaptered by Secretary of State.

This bill would create the California Transportation Financing Authority with specified powers and duties relative to issuance of bonds to fund transportation projects backed by various revenue streams of transportation funds, and toll revenues, in order to increase the construction of new capacity or improvements for the state transportation system. The bill sets

forth the requirements for a project sponsor to obtain bond funding from the authority, would allow the authority to approve the imposition and collection of tolls on a proposed project under certain conditions, and would require the authority to report to the California Transportation Commission annually beginning June 30, 2011.

### Assembly Bill No. 970

Assembly members Block and Bass, introduced 2/29/09.

Status: 6/18/09 Senate referred to Committee on RLS.

This bill would encourage the State Board of Education and the Curriculum Development and Supplemental Materials Commission to ensure that the history-social science framework, evaluation criteria, and instructional materials include information about American Indians.

### Assembly Bill No. 1220

Assembly Member Huffmann, introduced 2/25/09.

Status: 2/2/10 Filed with the Chief Clerk pursuant to rule 56.

This bill would additionally require that the supervising licensed driver have held his or her license for at least a year.

This bill would require, on and after January 1, 2011, for a driver's license to be issued to a person at least 18 years of age but under 25 years of age, the person to complete 50 hours of supervised driving practice, not less than 10 of which is required to include driving during darkness. The bill would require the person to record and maintain a supervised driving log, provided by the department, in the vehicle while the person is practicing.

### Assembly Bill No. 1300

Assembly Member Fletcher, introduced 2/27/09.

Status: 7/06/09, Referred to Senate Committee on Natural Resources and Water.

# RECENT TRANSPORTATION LEGISLATION

This bill would authorize the department to develop and implement a fuels reduction program that provides competitive grants or other financial incentives to communities located in the wild land-urban interface or very high fire hazard severity zones to conduct fuels reduction efforts that minimize the risk or decrease the intensity of a wildfire in or around a community.

## **Assembly Bill No. 1464**

Assembly Member Smyth, introduced 2/27/09.

Status: 10/11/09 Senate Committee on Appropriations. Chaptered by Secretary of State.

This bill would enact the California Bicycle Routes for State or Regional Significance Act, which would authorize the department to establish a process for identifying and promoting bicycle routes of national, state, or regional significance as specified.

## **Assemble Bill No. 1522**

Assembly Member V. Manuel Perez, introduced 2/27/09.

Status: 2/2/10 Filed with the Chief Clerk pursuant to rule 56.

This bill would authorize a local authority in a rural area, to designate a school zone to include a state highway if the highway is within 1,000 feet of a school building or the grounds of a school building, including school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates the posted speed limit.

## **Assembly Bill No. 2098**

Assembly Member Miller, introduced 2/18/10.

Status: 3/24/10 Referred to Committee on Transportation.

This bill would enact provisions to govern the expenditure of the 2nd round of federal transportation economic stimulus funds that maybe awarded to the state in

2010 pursuant to an unspecified federal act, subject to appropriation by the Legislature. The bill would provide for an unspecified division of the available funds between state and regional agencies. The bill would restrict allocation of the state portion of funds to projects in areas defined as economically distressed under federal law.

## **Assembly Bill No. 2124**

Assembly Member Villines, introduced 2/18/10.

Status: 3/4/10 Referred to Committee on Transportation.

Existing law provides that the Department of Transportation has full ownership and control of all state highways and associated property.

This bill would require the department, with respect to state highway maintenance activity or a state highway construction project undertaken by the department, to be responsible for any damage inflicted on any public highway under the jurisdiction of a local agency from activities associated with the maintenance activity or construction project by the department's own forces or by contractors of the department.

## **Assembly Bill No. 2147**

Assembly Member Perez, introduced 2/18/10.

Status: 3/4/10 Referred to Committee on Transportation.

Existing law requires the Department of Transportation, in consultation with the California Highway Patrol, to establish and administer a "Safe Routes to School" construction program and to use federal transportation funds for construction of bicycle and pedestrian safety and traffic calming projects. Existing law requires the department to make grants available to local agencies under the program through a competitive grant process that considers various factors in rating the proposals. This bill would additionally require, in rating a proposal, the consideration of the

proposal's benefit to a disadvantaged community.

## **Assembly Bill No. 2520**

Assembly Member Solorio, introduced 2/19/10.

Status: 3/18/10 Referred to Committee on Transportation.

Existing law designates an administrative agency that is responsible for programming these bond funds for the various categories of projects funded by the act. Existing law authorizes a regional or local agency that is a lead agency for a project to be funded under the act to apply to the administrative agency for a letter of no prejudice that permits the applicant to spend its own resources on the project and then to be reimbursed at a later date when bond funds become available, subject to various requirements and conditions.

This bill would enact similar provisions applicable to regional or local agencies relative to projects to be funded by the Clean Air and Transportation Improvement Act of 1990.

## **Senate Bill No. 240**

Senator Wright, introduced 2/24/09.

Status: 10/11/09 Chaptered by the Secretary of State.

Existing law until January 1, 2010, requires a person driving a vehicle on a freeway approaching a stationary authorized emergency vehicle that is displaying emergency lights or a stationary tow truck that is displaying flashing amber warning lights, to approach with due caution, and before passing in the lane immediately adjacent to the stationary vehicle, absent other direction by a peace officer, to move into an available lane that is not immediately adjacent to the stationary vehicle or if that lane change would be unsafe or impracticable, to slow to a reasonable and prudent speed. A violation of those requirements is an infraction.

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This bill would extend this provision indefinitely. The bill, except as specified, would also apply these requirements to a person driving a vehicle on a freeway that approaches a stationary marked Department of Transportation vehicle displaying flashing amber warning lights. By extending indefinitely, and expanding the scope of, an existing crime, this bill would impose a state-mandated local program.

## **Senate Bill No. 358**

Senator Ducheny, introduced 2/25/09.

Status: 2/1/10 Returned to the Secretary of the Senate per Joint Rule 56.

This bill would require the secretary to establish the Native American Business Revolving Loan and Guarantee Program for the purpose of providing nongaming business loans and loan guarantees to qualified Indian tribes, as defined.

## **Senate Bill No. 607**

Senator Ducheny, introduced 2/25/09.

Status: 8/6/09 Chaptered by Secretary of State.

Imperial County Transportation Commission. The governing board may include one member representing any federally recognized Native American Tribe in Imperial County as a non-voting member.

## **Senate Bill No. 675**

Senator Steinberg, introduced 2/27/09.

Status: 2/11/10 Referred to Committee on Education.

This bill would enact the Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Act of 2010 and would create the Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention

Fund (fund) in the State Treasury. The bill would provide that the monies in the fund would be available in the form of competitive grants that would be administered by the State Allocation Board and awarded to qualifying entities for the purposes of the construction of new facilities or the reconfiguration of existing facilities to enhance the educational opportunities for program participants to provide them with the skills and knowledge necessary for careers directly related to clean technology, renewable energy, or energy efficiency that may also contribute to California's goal in reducing greenhouse gas emissions.

## **Senate Bill No. 716**

Senator Wolk, introduced 2/27/09.

Status: 10/11/09 Read second time and amended to Committee on Appropriations. Chaptered by Secretary of State.

Existing law requires that 1/4% of the local sales and use tax be transferred to the local transportation fund of the county and be allocated for various transportation purposes. Existing law specifies the allowable uses for local transportation funds, and generally requires these funds to be used for transit purposes in urban counties, while in counties with a population under 500,000 as of the 1970 census and certain other counties, these funds may also be used for local streets and roads, and for other specified purposes.

This bill would instead authorize those local transportation funds to be used for local streets and roads in those circumstances and for those other specified purposes in counties with a population under 500,000 as of the 2000 census, and each decennial census thereafter, and in certain other counties. The bill, in those counties where local transportation funds may be allocated to local streets and roads, would also authorize use of those funds for specified farm worker vanpool purposes upon

a finding by the transportation planning agency that there are no unmet transit needs or no unmet transit needs that are reasonable.

## **Senate Bill No. 734**

Senator Lowenthal, introduced 2/27/09.

Status: 10/11/09 Chaptered by the Secretary of State.

Existing law provides that every person riding a bicycle upon a highway has all the rights applicable to the driver of a vehicle and is subject to specified provisions in the Vehicle Code, including the rules of the road and specified equipment requirements. Existing law also does not prohibit the operation of bicycles on any shoulder of a highway.

This bill would define a "bicycle path crossing" as either that portion of a roadway included within the prolongation or connection of the boundary lines of a bike path, as defined, at intersections where the intersecting roadways meet at approximately right angles or as any portion of a roadway distinctly indicated for bicycle crossing by lines or other markings on the surface, except as specified. This bill would also permit the operation of bicycles on any sidewalk, on any bicycle path within a highway, or along any crosswalk or bicycle path crossing.

## **Senate Bill No. 964**

Senator Alquist, introduced 2/5/10.

Status: 3/26/10 Senate Committee on Transportation and Housing.

This bill would require the authority to contract with the California Community Colleges Chancellor's office to develop a labor market assessment of the workforce and identify the education and skills needed for high-speed rail, and to develop a comprehensive workforce training and certification program or programs to facilitate the availability of that workforce. The bill would require the authority and the chancellor's office to form a Jobs Advisory Task Force, as specified, to advise the authority and the chancellor's office on the establishment and operation of training and certifica-

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tion programs required to produce an adequate skilled workforce for this project. The bill would require the labor market assessment to be incorporated into the authority's biennial revised business plan.

## **Senate Bill No. 1299**

Senator Lowenthal, introduced 2/19/10.

Status: 3/4/10 Senate Committee on Transportation and Housing.

This bill would require the Department of Motor Vehicles to develop and implement, by January 1, 2012, a pilot program designed to issues related to implementing a vehicle miles traveled (VMT) fee in California.

## **Senate Bill No. 1371**

Senator Lowenthal, introduced 2/19/10.

Status: 3/4/10 Senate Committee on transportation and Housing.

This bill would require the Department of Transportation to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of 2nd round federal transportation economic stimulus funds. The bill would require the department to submit a monthly status report to the Legislature with respect to certain milestones for expenditure of these funds.

## **Senate Bill No. 1475**

Senator Simitian, introduced 2/19/10.

Status: 3/19/10 Senate Committee on Transportation and Housing.

This bill would require the Department of Motor Vehicles to include a test of the applicant's understanding of the distractions and dangers of handheld cell phone use and text messaging while operating a motor vehicle. Existing law establishes that specified convictions and violations under the Vehicle Code and traffic-related incidents count as points against a driver's record for purposes

of the suspension or revocation of the privilege to drive. Under existing law, it is an infraction for any person to drive a motor vehicle while using a wireless telephone, unless that telephone is designed and configured to allow hands-free listening and talking operation, and is used in that manner while driving. A person under 18 years of age is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. Under existing law, a person is also prohibited from driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication.



## **NEVADA LEGISLATION**

**The Nevada Legislature meets every two years. The 76th Session is scheduled to begin on February 7, 2011.**

*(For more information, go to <http://www.leg.state.nv.us/bills/bills.cfm>)*

**State Implementation of the American Recovery and Reinvestment Act of 2009**

Nevada's Federal Stimulus Funds Website Go to:

<http://www.leg.state.nv.us/75th2009/federalstimulus/>



## **FEDERAL LEGISLATION**

*(For more information go to: <http://Thomas.loc.gov>)*

## **House Continuing Resolution No.74**

Sponsor: Rep Wexler [FL19], introduced 3/16/09.

Status: 9/24/09 Referred to Committee on Foreign Relations.

Supports the goals of a decade of action for road safety with a global target to reduce by 50% the predicted increase in global road deaths between 2010 and 2020.

## **House Resolution No. 140**

Sponsor: Rep Gallegly [CA24], introduced 1/06/09.

Status: 1/06/09 Referred to Subcommittee on Highways and Transit.

Requires the Secretary of Transportation to withhold specified graduated percentages of a state's apportionment of certain federal-aid highways funds for FY2010 and thereafter if driver licenses or personal identification cards issued by the state do not meet with certain minimum federal standards to be accepted by a federal agency.

## **House resolution No. 259**

Sponsor: Rep Jackson-lee [TX18], introduced 1/07/09.

Status: Referred to Subcommittee on Highways and Transit.

Michael Jon Newkirk Transportation Safety Enhancement Act of 2009 - Directs the Secretary of Transportation to withhold a graduated percentage of federal-aid highway funds of states for FY2012 and thereafter that do not enact or enforce a law that requires the annual inspection of registered motor vehicles so that they meet or exceed state motor vehicle standards (including the operability of vehicle seatbelts and speedometers).

## **House resolution No. 687**

Sponsor: Rep Foxx [NC5], introduced 1/27/09.

Status: 1/27/09 Referred to Subcommittee on Highways and Transit.

Highway Trust Fund Reform Act of 2009 - Repeals the Davis-Bacon Act (which requires that the locally prevailing wage

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rate be paid to laborers and mechanics working on federal-aid highway construction projects and public transportation construction projects).

## **House Resolution No. 737**

Sponsor: Rep Hoekstra [MI2], introduced 1/29/09.

Status: Referred to Subcommittee on Highways and Transit.

State Temporary Economic Priority (STEP) Act - Authorizes states to transfer or consolidate funds made available to them under certain federal transportation, education, and job training programs: (1) beginning with the calendar quarter after the United States experiences economic growth at an annual rate of less than 1% for two consecutive calendar quarters; and (2) continuing until 18 months after it experiences economic growth at an annual rate of 1% or more for two consecutive calendar quarters.

## **House Resolution No. 1028**

Sponsor: Rep Roybal-Allred [CA34], introduced 2/12/09.

Status: 2/12/09 Referred to Subcommittee on Energy and Commerce.

Support 21 Act of 2009 - Requires the Secretary of Transportation, acting through the Administrator of the National Highway Traffic Safety Administration, to establish a program under which at least two campaigns in support of enforcement of the minimum legal drinking age will be implemented per year 2010-2014 to: (1) educate the public about the public health and safety benefits and basis for age-21 minimum legal drinking age laws; and (2) build public and parental support for, and cooperation with, enforcement of such laws. Authorizes the Administrator of the Substance Abuse and Mental Health Services Administration (Administrator) to make supplemental grants to eligible entities to implement strategies to: (1) work with local pediatric health care providers to increase alcohol education, screening,

and intervention provided to patients and persons under age 21; (2) give such providers access to the community sectors involved in collaborating on the implementation of comprehensive, community wide programs, strategies, and services to reduce underage alcohol use and abuse; (3) provide science-based alcohol information and education to caregivers of children and young adults through relevant community sectors; and (4) undertake activities to support the national campaigns. Authorizes the Secretary of Health and Human Services (Secretary), acting through the Administrator, to make grants to professional pediatric medical organizations to increase effective practices to reduce the prevalence of alcohol use among individuals under the age of 21.

Requires the Secretary to establish within the Centers for Disease Control and Prevention (CDC) a focus on underage drinking prevention, including activities for: (1) expanding and disseminating research on strategies for reducing underage drinking; and (2) public health and state-level surveillance of underage drinking. Requires the National Academy of Sciences to review and report to Congress on research regarding the influence of drinking alcohol on the development of the adolescent brain and the public policy implications.

## **House Resolution No. 1071**

Sponsor: Rep Thompson [PA5], introduced 2/1/09.

Status: 2/14/09 Referred to Subcommittee on Highways and Transit.

Keeping America's Freeways Free Act - Prohibits, with a specified exception, the imposition or collection of a toll on any portion of a federal highway facility: (1) that is in existence upon enactment of this Act; and (2) on which no toll is imposed or collected under a tolling provision on such enactment.

## **House Resolution No. 1333**

Sponsor: Rep Grijavla [AZ7], introduced 3/05/09.

Status: 10/01/09 Read twice and referred Judiciary Committee.

Amends the federal criminal code to extend the exemption from prohibitions on the transportation, shipment, receipt, or importation of explosive materials to federally-recognized Indian tribes or agencies of such tribes.

## **House Resolution No. 1395**

Sponsor: Rep Kline [MN2], introduced 3/09/09.

Status: 4/29/09 Referred to Subcommittee on Health, Employment, Labor, and Pensions.

Tribal Labor Sovereignty Act of 2009 - Amends the National Labor Relations Act to provide that any enterprise or institution owned and operated by an Indian tribe and located on its Indian lands is not considered an employer for purposes of such Act.

## **House Resolution No. 1443**

Sponsor: Rep Matsui [CA5], introduced 3/11/09.

Status: 2/12/09 Referred to Subcommittee on Highways and Transit.

Complete Streets Act of 2009 - Requires each state to have in effect within two years a law, or each state department of transportation and metropolitan planning organization (MPO) an explicit policy statement, that requires all federally-funded transportation projects, with certain exceptions, to accommodate the safety and convenience of all users in accordance with certain complete streets principles.

Defines "complete streets principles" as federal, state, local, or regional level transportation laws, policies, or principles which ensure that the safety and convenience of all users of a transportation system, including pedestrians, bicyclists, public transit users, children, older individuals, motorists, and individuals with disabilities, are accommodated in all phases of project planning and development.

# RECENT TRANSPORTATION LEGISLATION

## **House Resolution No. 1607**

Sponsor: Rep Faleomavaega [AS], introduced 3/19/09.

Status: 3/19/09 Referred to Committee on Natural Resources.

Indian Development Finance Corporation Act - Establishes the Indian Development Finance Corporation to provide development capital for new and existing Indian businesses and to strengthen tribal economies.

Authorizes the Corporation to make loans to or purchase, insure, or discount obligations of Indian businesses if they meet specified financial conditions.

Directs the Corporation to provide the credit needed by Indian businesses at the lowest reasonable cost.

Authorizes the Corporation to guarantee all or any part of the principal and interest of any loan made to an Indian business by a state or federally chartered lending institution, provided the loan was made on terms permissible for Corporation loans.

Authorizes the Corporation to purchase all or any part of the ownership interest in an Indian business and to supervise or participate in the management of such business.

## **House Resolution No. 1682**

Sponsor: Rep Coanway [TX11], introduced 3/24/09.

Status: 3/25/09 Referred to Subcommittee on Highways and Transit.

Bridge Life Extension Act of 2009 - Requires a state, as a condition of receiving federal-aid highway funding, to develop and implement a highway bridge management system that meets certain requirements.

Requires a state, in developing and implementing such a system, to: (1) identify corrosion mitigation and prevention methods to preserve its highway bridges; (2) establish a project maintenance program to extend the life of such bridges; (3) ensure that all highway bridge designers, inspectors, and maintenance workers implementing the system are trained and certified in corrosion mitigation and prevention tech-

niques; and (4) research current inspection technologies and techniques for highway bridges.

## **House Resolution No. 1697**

Sponsor: Rep Pallone [NJ6], introduced 3/24/09.

Status: 3/30/09 Referred to Subcommittee on Management, Investigations, and Oversight.

Tribal Government Homeland Security Coordination and Integration Act - Establishes the Office of Tribal Government Homeland Security (Office) within the Department of Homeland Security (DHS). Prescribes the Secretary's and the Director's duties of coordination, infrastructure and equipment readiness, training, and inclusion of Indian tribes in homeland security preparedness.

Requires the Secretary to treat Indian tribes as states, as appropriate, for the purpose of homeland security. Authorizes the Secretary to delegate to Indian tribes primary responsibility for homeland security activities within their respective jurisdictions. Requires the Secretary to integrate the roles of the Bureau of Indian Affairs and Indian Health Services with regard to homeland security.

Requires the Secretary to provide assistance to enhance information technology capabilities of tribes and ensure the participation of Indian tribes in the coordination with governments and the private sector as related to homeland security activities.

Makes Indian tribes eligible to apply for, receive, direct, and supervise any homeland security-related federal grant program.

Authorizes the Secretary to award grants to Indian tribes for specified homeland security purposes.

Requires the Secretary to: (1) provide Indian tribes with technical assistance in developing, implementing, and managing emergency response plans; (2) ensure that DHS expertise and legal, financial, or technical assistance programs are made available to Indian tribes; and (3) facilitate cooperation

with the heads of appropriate federal agencies working on homeland security initiatives.

## **House Resolution No. 1834**

Sponsor: Rep Kirkpatrick [AZ1], introduced 4/01/09.

Status: 11/20/09 Received in the Senate, read twice and referred to the Committee on Small Business and Entrepreneurship.

Native American Business Development Enhancement Act of 2009 - Amends the Small Business Act to establish in the Small Business Administration (SBA) the Office of Native American Affairs, administered by a new SBA Associate Administrator, to increase Native American entrepreneurship. Authorizes appropriations.

Authorizes the SBA's Administrator (acting through the Associate Administrator) to: (1) operate a Tribal Business Information Centers program that provides Native American populations with business training and entrepreneurial development assistance; (2) designate entities as Centers; (3) contribute agency personnel and resources to the centers; and (4) make grants to the centers. Authorizes appropriations.

Allows any eligible Center to apply for an additional grant to assist with outreach, development, and enhancement on Indian lands of small business startups and expansions owned by Indian tribe members, Alaska Natives, and Native Hawaiians. Requires, to be eligible, that the Center be in a state in which the combined Indian Tribe members, Alaska Natives, and Native Hawaiians make up at least one percent of the state's total population. Authorizes appropriations.

## **House Resolution No. 1895**

Sponsor: Rep Bishop [NY1], introduced 4/03/09.

Status: 4/03/09 Referred to Subcommittee on Highways and Transit.



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Safe Teen and Novice Driver Uniform Protection Act of 2009 or the STANDUP Act - Authorizes the Secretary of Transportation to award incentive grants to states with graduated driver licensing laws that include, for novice drivers under age 21, a two-stage licensing process before the grant of an unrestricted driver's license.

Requires such laws, at a minimum, to include: (1) a learner's permit stage that commences at age 16 or older, lasts at least six months, prohibits the use of a cellular phone or other communications device in non-emergency situations, prohibits nighttime driving, and is in effect until commencement of the intermediate stage or when the driver attains age 18 or older; (2) an intermediate stage in effect until the driver attains age 18 or older that commences after expiration of the learner's permit stage, lasts at least six months, prohibits more than one non-familial passenger under age of 21 if there is no licensed driver age 21 or older present in the vehicle, prohibits nighttime driving, and prohibits the use of a cellular phone or other communications device in non-emergency situations; and (3) any other requirement that the Secretary may require.

Directs the Secretary to withhold a certain percentage of federal-aid highway funds from states that do not comply with the requirements of this Act.

## **House Resolution No. 1995**

Sponsor: Rep DeGette [CO1], introduced 4/21/09.

Status: 4/21/04 Referred to Committee on Energy and Commerce.

Eliminating Disparities in Diabetes Prevention Access and Care Act of 2009 - Amends the Public Health Service Act to require the Director of the National Institutes of Health (NIH) to provide for: (1) ongoing research and other activities with respect to pre-diabetes and diabetes in minority populations; and (2) pro-

grams to treat diabetes in minority populations.

## **House Resolution No. 2104**

Sponsor Rep Filner [CA51], introduced 4/28/09.

Status: 4/28/09 Referred to Subcommittee on Highways and Transit.

Safety, Efficiency, and Accountability in Transportation Projects Through Public Inspection Act of 2009 - Requires public employees to perform construction inspections on all surface transportation projects receiving federal funding.

## **House Resolution No. 2125**

Sponsor: Rep Rahall [WV3], introduced 4/28/09.

Status: 4/28/09 Referred to Subcommittee on Highways and Transit.

Surface Transportation Safety Act of 2009 - Directs the Secretary of Transportation to modify certain federal regulations to: (1) allow fire services personnel to wear high visibility apparel meeting certain requirements; and (2) ensure that positive protective measures (including temporary longitudinal traffic barriers) are used to separate workers on highway construction projects from motorized traffic.

Directs the Secretary of Transportation to revise the Manual on Uniform Traffic Control Devices to include a standard for a minimum level of retro reflectivity that must be maintained for pavement markings, which shall apply to all roads open to public travel, and other provisions for state DOTs.

## **House Resolution No. 2144**

Sponsor: Flake [AZ6], introduced 4/28/09.

Status: 4/29/09 Referred to Subcommittee on Highways and Transit.

Highway Fairness and Reform Act of 2009 - Directs the Secretary of Transportation, beginning with FY2011, to carry out a direct federal-aid highway program to permit a state governor or

chief executive officer, at least 90 days before the beginning of a fiscal year, to elect to: (1) waive the state's right to receive apportioned or allocated funds under the federal-aid highway program; and (2) receive instead a prorated amount of the taxes appropriated to the Highway Trust Fund (other than from the Mass Transit Account) which are attributable to highway users in the state. Requires a pro rata reduction of such tax-equivalent amount in order to fund contract authority for programs of the National Highway Traffic Safety Administration (NHTSA) and the Federal Motor Carrier Safety Administration (FMCSA).

## **House Resolution No. 2232**

Sponsor: Rep Capuanjo [MA8], introduced 5/04/09.

Status: 5/05/09 Referred to Subcommittee on Highways and Transit.

Directs the Secretary of Transportation to establish: (1) a national highway tunnel inspection program, including standards for the proper safety inspection and evaluation of all highway tunnels; (2) a training and certification program for highway tunnel inspectors; and (3) a national inventory of highway tunnels. Includes tunnel construction, rehabilitation, and operational improvements (including safety inspection of such tunnels) as eligible projects under the federal surface transportation program.

## **House Resolution No. 2497**

Sponsor Rep Nadler [NY8], introduced 5/19/09.

Status: 5/20/09 Referred to Subcommittee on Highways and Transit.

Transportation Job Corps Act of 2009 - Requires the Administrator of the Federal Transit Administration (FTA) to establish: (1) a National Joint Workforce Development Council; and (2) regional workforce development councils and governing boards in each of its 10 regions. Re-

# RECENT TRANSPORTATION LEGISLATION

places the current discretionary grant and contract programs addressing human resource needs as they apply to public transportation activities.

Directs the Secretary of Transportation, acting through the Administrator, to establish programs for the award of grants to: (1) nonprofit organizations and educational institutions to introduce disconnected youth (ages 16 through 24 who are out of school and unemployed) to careers in the transit industry by providing them with basic skills education and pre-apprenticeship skills; (2) partnerships of transit agencies and unions representing non-managerial employees (partnerships), as well as providers of management and technical programs for managerial employees, to develop education programs improve job skills of transit employees and to provide education and training to assist individuals to enter the transit profession; and (3) the same or similar partnerships to develop special projects to increase education opportunities for disadvantaged transit industry individuals, including racial and ethnic minorities underrepresented in transit management, by providing student scholarships, pre-entry preparation, and retention activities.

## **House Resolution No. 2708**

Sponsor: Rep Pallone [NJ6], introduced 6/04/09.

Status: 10/20/09 Subcommittee on Health. Hearings held.

Indian Health Care Improvement Act Amendments of 2009 - Amends the Indian Health Care Improvement Act to revise requirements for health care programs and services for Indians, Indian tribes, tribal organizations, and urban Indian organizations.

Replaces the Urban Health Programs Branch with a Division of Urban Indian Health.

## **House Resolution No. 2724**

Sponsor: Rep Holt [NJ12], introduced 6/04/09.

Status: 6/05/09 Referred to Subcommittee on Railroads, Pipelines, and Hazardous Materials.

National Transportation Objectives Act of 2009 - Establishes: (1) national transportation objectives to provide a 21st century vision for the national surface transportation system, including to promote energy efficiency and achieve energy security, ensure environmental protection and safety for all transportation users, improve economic competitiveness and transportation system conditions, and provide equal access to transportation in urban, suburban, and rural communities; and (2) national transportation performance targets to meet such objectives, including to reduce per capita vehicle miles traveled by 16% and transportation-generated carbon dioxide levels by 40%, triple walking, biking, and public transportation use, increase freight transportation provided by railroad and intermodal services by 20%, and improve public safety and lower congestion costs by reducing traffic crashes by 50%.

## **House Resolution No. 2973**

Sponsor: Rep Campbell [CA48], introduced 6/19/09.

Status: 6/19/09 Referred to Committee on Natural Resources.

Requires the Secretary of the Interior, acting through the Bureau of Indian Affairs, to notify certain local governments: (1) within 60 days after a petition is filed requesting that a tribe be recognized, acknowledged, or reacknowledged as a federally recognized Indian tribe; (2) within 30 days after enactment of this Act regarding pending petitions; and (3) 90 days before a decision on a petition is announced.

Describes a local government to be notified as a local city, parish, or county government located within a 25-mile radius of land that would be taken into trust for or transferred to, or for which jurisdiction would be given to, a tribe pursuant to such a petition.

Prohibits Secretary from taking land into trust for the benefit of an Indian tribe or member thereof unless an Act enacted after this Act specifically instructs the Secretary to do so.

Amends the Indian Gaming Regulatory

Act to make the Act inapplicable to an Indian tribe or to Indian lands of an Indian tribe until that tribe has been a federally recognized Indian tribe for at least 25 continuous years, except for tribes that were federally recognized before enactment of this Act.

## **House Resolution No. 3094**

Sponsor: Rep Edwards [MD4], introduced 6/26/09.

Status: 6/26/09 Referred to Subcommittee on Education and Labor.

Alexander L. Booker Child Protection Construction Site Safety Act - Directs the Secretary of Labor, in order to increase worker safety and protect child trespassers from unforeseen dangers on construction sites, to revise regulations under the Occupational Safety and Health Act of 1970 to require: (1) signs and symbols be prominently displayed to warn adults and children of danger or a hazard at construction sites (even during non-working hours); (2) all equipment left unattended at night near a highway, construction areas, or schools or other areas where children are known to congregate to have sufficiently visible barricades to prevent access to such equipment as well as to require the equipment's parking brakes to be set when not in use and be equipped with devices that set off an alarm when tampered with or broken; and (3) all motorized vehicles to be equipped with safety lock systems, including latches or other devices to prevent accidental starting.

## **House Resolution No. 3355**

Sponsor: Rep Altimire [PA4], introduced 7/27/09.

Status: 7/28/09 Referred to Subcommittee on Highways and Transit.

Older Driver and Pedestrian Safety and Roadway Enhancement Act of 2009 - Directs the Secretary of Transportation to implement a roadway safety enhancement program for older drivers and pedestrians to: (1) im-

# RECENT TRANSPORTATION LEGISLATION

prove roadway safety infrastructure in states that is consistent with recommendations of the Federal Highway Administration (FHWA) in the "Highway Design Handbook for Older Drivers and Pedestrians"; and (2) achieve significant reductions in roadway fatalities and serious injuries among drivers and pedestrians 65 years old or older on all public roads.

## **House Resolution No. 3461**

Sponsor: Rep Blumenauer [OR3], Introduced 7/31/09.

Status: 8/3/09 Referred to Subcommittee on Highways and Transit.

Orphan Highway Restoration Act - Defines "orphan highway" to mean a highway that: (1) formerly was a U.S. numbered highway; (2) no longer is a principal route for traffic passing through a state; and (3) because of decreased importance to statewide transportation, has received only routine maintenance but needs significant restoration.

Directs the Secretary of Transportation to: (1) make grants and provide technical assistance to states and local government units to restore orphan highways; and (2) allocate funds to grant recipients for FY2010-FY2015 based on a calculated formula.

## **House Resolution No. 3535**

Sponsor Rep McCarthy [NY4], introduced 9/08/09.

Status: 9/09/09 Referred to Subcommittee on Highways and Transit.

Avoiding Life-Endangering and Reckless Texting by Drivers Act of 2009 or the ALERT Drivers Act - Requires the Secretary of Transportation to withhold 25% of a state's apportionment of certain federal-aid highway program funds for the fiscal year if the state has not enacted or is not enforcing a law that: (1) prohibits, except in an emergency, an operator of a motor vehicle from writing, sending, or reading a text message using a hand-held mobile telephone (excluding a vehicle-integrated, voice-activated device); and

(2) requires, upon conviction of a violation of such prohibition, the imposition of certain minimum penalties.

## **House Resolution No. 3645**

Sponsor: Rep Kirkpatrick [AZ1], introduced 9/24/09.

Status: 9/25/09: Referred to Subcommittee on Highways and Transit.

Indian School Bus Route Safety Reauthorization Act of 2009 - Amends the Transportation Equity Act for the 21st Century to authorize appropriations for FY2010-FY2015 for allocations to states for Indian reservation roads.

## **House Resolution No. 3690**

Sponsor: Rep Faleomavaega [AS], introduced 10/01/09.

Status: 10/01/09 Referred to Committee on Natural Resources.

Indian Tribal Federal Recognition Administrative Procedures Act - Establishes the Commission on Recognition of Indian Tribes. Sets forth procedures for an Indian group to submit letters of intent and a petition to the Commission requesting federal recognition as an Indian tribe (effectively transferring the federal recognition process from the Bureau of Indian Affairs [BIA] to the Commission).

## **House Resolution No. 3994**

Sponsor Rep Engel [NY17], introduced 11/03/09.

Status: 11/04/09 Referred to Subcommittee on Highways and Transit.

Distracted Driving Prevention Act of 2009 - Directs the Secretary of Transportation to make grants to states that enact laws that prohibit, with certain exceptions, and establish fines for texting and/or handheld cell phone use while driving.

## **House Resolution No. 4021**

Sponsor: Rep Blumenauer [OR3], introduced 11/5/09.

Status: 11/05/09 Referred to Subcommittee on Highways and Transit.

Safe Routes to High Schools Act - Amends the Safe, Accountable, Flexible,

Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) to include high school students as beneficiaries of the safe routes to school program. (Currently, the program provides funding to states for projects that encourage, and enhance the ability of, primary and secondary school students to walk or bike to school safely.)

## **House Resolution No. 4104**

Sponsor: Rep Ellsworth [IN8], introduced 11/18/09.

Status: 11/19/09 Referred to Subcommittee on Highways and Transit.

Emergency Responders Highway Safety Act of 2009 - Directs the Secretary of Transportation to establish a highway emergency responders safety grant program.

## **House Resolution No. 4153**

Sponsor: Rep Platts [PA19], introduced 11/19/09.

Status: 11/20/09 Referred to Subcommittee on Highways and Transit.

Requires the Secretary of Transportation to withhold specified graduated percentages of a state's apportionment of certain federal-aid highway program funds for FY2012-FY2015, and thereafter, if the state has not enacted or is not enforcing a law that prohibits, with specified exceptions, a person from using a wireless communications device to compose, read, or send an electronic message while operating a motor vehicle that is in motion or part of traffic.

## **House Resolution No. 4643**

Sponsor: Oberstar [MN8], introduced 2/22/10.

Status: 2/22/10 Referred to Committee on Transportation and Infrastructure.

Public Transportation Safety Program Act of 2010 - Directs the Secretary of Transportation to establish a federal public transportation safety program to improve the safety of, and

# RECENT TRANSPORTATION LEGISLATION

reduce the number of accidents involving, rail fixed guide way public transportation systems and public transportation bus systems that receive federal assistance.

## **House Resolution No. 4722**

Sponsor: Rep Blumenauer [OR3], introduced 3/02/10.

Status: 3/02/10 Referred to Committee on Transportation and Infrastructure.

To direct the Secretary of Transportation to carry out an active transportation investment program to encourage a mode shift to active transportation within selected communities by providing safe and convenient options to bicycle and walk for routine travel.

## **Senate Bill No. 308**

Sponsor: Sen Baucus [MT], introduced 1/22/09.

Status: 1/22/09 Read twice and referred to Committee on Environment and Public Works.

Rural Opportunity and Development Act or the ROAD Act - Directs the Secretary of Transportation to establish a rural opportunity and development (ROAD) program to promote opportunity and economic development in rural states through projects for the preservation and improvement of highways.

## **Senate Bill No. 309**

Sponsor: Sen Baucus [MT], introduced 1/22/09.

Status: 1/22/09 Read twice and referred to Committee on Environment and Public Works.

Nationwide Freight and Personal Mobility Act - Specifies a formula for the automatic authorization of additional appropriations for National Highway System (NHS) improvement projects, starting FY2010, if apportionments fall below a certain level.

Revises the federal share of non-

Interstate highway projects to make it: (1) 80% for non-NHS projects; and (2) 85% for NHS projects.

## **Senate Bill No. 323**

Sponsor Sen Conrad [ND], introduced 1/26/09.

Status: 1/26/09 Read twice and referred to Committee on Finance.

Directs the Secretary of the Treasury to transfer funds for: (1) electrification loans and loan guarantees; (2) Indian reservation roads and bridge and highway projects; (3) water projects; (4) utilities programs; (5) community facilities programs; (6) business enterprise grants and microenterprise assistance; (7) telemedicine and distance learning services; (8) public works and economic development; and (9) energy programs.

## **Senate Bill No. 584**

Sponsor: Sen Harkin [IA], introduced 3/12/09.

Status: 3/12/09 Read twice and referred to Committee on Environment and Public Works.

A bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

## **Senate Bill No. 759**

Sponsor: Sen Bingaman [NM], introduced 4/01/09.

Status: 4/01/09 Read twice and referred to Committee on Environment and Public Works.

Indian School Bus Route Safety Reauthorization Act of 2009 - Amends the Transportation Equity Act for the 21st Century to authorize appropriations for FY2010-FY2015 for allocations to states for Indian reservation roads.

## **Senate Bill No. 791**

Sponsor: Sen Baucus [MT], introduced 4/2/09.

Status: 4/02/09 Read twice and referred

to Committee on Environment and Public Works.

Surface Transportation Safety Act of 2009 - Directs the Secretary of Transportation to modify certain federal regulations to: (1) allow fire services personnel to wear high visibility apparel meeting certain requirements; and (2) ensure that positive protective measures (including temporary longitudinal traffic barriers) are used to separate workers on highway construction projects from motorized traffic. Directs the Secretary of Transportation to revise the Manual on Uniform Traffic Control Devices to include a standard for a minimum level of retro-reflectivity that must be maintained for pavement markings, which shall apply to all roads open to public travel, and other provisions for state DOTs.

## **Senate Bill No. 884**

Sponsor: Sen Bingaman [NM], introduced 4/23/09.

Status: 4/23/09 Read twice and referred to Committee on Environment and Public Works.

Transportation Equity for All Americans Act - Excludes privatized highway miles (lane and vehicle miles traveled on a privatized highway) as a factor in calculating the state apportionment of certain federal-aid highway funds (including funds under the Equity bonus program).

## **Senate Bill No. 903**

Sponsor: Sen Hutchinson [TX], introduced 4/28/09.

Status: 4/28/09 Read twice and referred to Committee on Environment and Public Works.

Highway Fairness and Reform Act of 2009 - Directs the Secretary of Transportation, beginning with FY2011, to carry out a direct federal-aid highway program to permit a state governor or chief executive officer, at least 90 days before the beginning of a fiscal year, to elect to: (1) waive the state's right to receive apportioned or allocated funds

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under the federal-aid highway program; and (2) receive instead a prorated amount of the taxes appropriated to the Highway Trust Fund (other than from the Mass Transit Account) which are attributable to highway users in the state. Requires a pro rata reduction of such tax-equivalent amount in order to fund contract authority for programs of the National Highway Traffic Safety Administration (NHTSA) and the Federal Motor Carrier Safety Administration (FMCSA).

## **Senate Bill No. 1036**

Sponsor: Sen Rockefeller [WVA], introduced 5/14/09.

Status: 5/14/09 Read twice and referred to the Committee on Commerce, Science, and Transportation.

Federal Surface Transportation Policy and Planning Act of 2009 - Declares it is U.S. policy to develop a national surface transportation system that advances the national interest and defense, interstate and foreign commerce, the efficient and safe interstate mobility of people and goods, and the protection of the environment.

## **Senate Bill No. 1078**

Sponsor: Sen Johnson [SD], introduced 5/19/09.

Status: 8/5/2009 Referred to Committee on Commerce, Science, and Transportation.

AmericaView Geospatial Imagery Mapping Program Act - Directs the Secretary of the Interior, acting through the Director of the United States Geological Survey (USGS), to establish and maintain a national remote sensing education, outreach, and research program within USGS (AmericaView program) to advance the availability, timely distribution, and widespread use of geospatial imagery for education, research, assessment, and monitoring purposes in each state.

Requires the Secretary, acting

through the USGS data archive, development, maintenance, and product distribution program conducted at the Earth Resources Observation and Science Data Center (AmericaView project), to support the geospatial imagery mapping research and educational programs of each state by cooperating with states to identify new geospatial imagery mapping needs and infrastructure and to define, consolidate, and maintain the data requirements of the AmericaView project.

## **Senate Bill No. 1144**

Sponsor: Sen Johnson [SD], introduced 5/21/09.

Status: 6/3/2009 Referred to the Committee on Banking, Housing, and Urban Affairs.

Rural Transit Improvement and Flexibility Act of 2009 - Revises the apportionment of nonurbanized formula grants for amounts remaining after apportionment for grants to Indian tribes for public transportation on Indian reservations for FY2006-FY2009. Increases from 20% to 25% the amount of remaining funds to be apportioned to a state based on its land area. Decreases correspondingly from 80% to 75% the amount of remaining funds to be apportioned to a state based on population in nonurbanized areas.

Limits to 25% of its apportionment for a formula grant for a capital project for the special needs of elderly individuals and individuals with disabilities the amount a state may use for operating costs of equipment and facilities.

Limits a grant for operating assistance from exceeding 50% of the net operating project costs. Increases such limit to 62.5% of the government share of project costs in the case of a state containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved), national forests, and national parks and monuments.

## **Senate Bill No. 1156**

Sponsor: Sen Harkin [IA], introduced 5/21/09.

Status: 5/21/2009 Read twice and re-

ferred to the Committee on Environment and Public Works.

To amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Safe Routes to School Program Reauthorization Act. Section 1101(a) of the SAFETEA-LU (119 Stat. 1155) is amended inserting the following: (17) SAFE ROUTES TO SCHOOL PROGRAM- For the safe routes to school program under section 1404 of this Act, \$600,000,000 for each of fiscal years 2010 through 2014.

## **Senate Bill No. 1344**

Sponsor: Sen Vitter [LA], introduced 6/25/09.

Status: 6/25/2009 Read the second time. Placed on Senate Legislative Calendar under General Orders.

Highway Investment Protection Act - Requires the Director of the Office of Management and Budget (OMB) to transfer remaining unobligated stimulus funds under the American Recovery and Reinvestment Act of 2009 to the Highway Trust Fund (HTF) to ensure its solvency through FY2010.

## **Senate Bill No. 1498**

Sponsor: Sen Boxer [CA], introduced 7/22/09.

Status: 7/22/2009 Placed on Senate Legislative Calendar under General Orders.

Surface Transportation Extension Act of 2009 - Authorizes appropriations out of the Highway Trust Fund (HTF) (other than the Mass Transit Account) for the federal-aid highway, surface transportation research, and transportation planning programs under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) for: (1) FY2010, with a limit on obligational authority for the programs equal to the total authorized for such programs for FY2009; and (2) the period from October 1, 2010, through March 31, 2011, with a limit on obligational authority for the programs equal to one-half of

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the total amount authorized for such programs for 2009. Sets forth certain exceptions to such limits.

Requires authorizations of appropriations for FY2010 and the period from October 1, 2010, through March 31, 2011, to be allocated to a state for certain federal-aid highway programs in the same proportion as the amount apportioned to the state for that program for FY2009 bears to amounts apportioned to the state for FY2009 for all programs.

## **Senator Bill No. 1536**

Sponsor: Sen Schumer [NY], introduced 7/29/09.

Status: 7/29/2009 Read twice and referred to the Committee on Environment and Public Works.

Avoiding Life-Endangering and Reckless Texting by Drivers Act of 2009 or the ALERT Drivers Act - Requires the Secretary of Transportation to withhold 25% of a state's apportionment of certain federal-aid highway program funds for the fiscal year if the state has not enacted or is not enforcing a law that: (1) prohibits, except in an emergency, an operator of a motor vehicle from writing, sending, or reading a text message using a hand-held mobile telephone (excluding as voice-activated device); and (2) requires, upon conviction of a violation of such prohibition, the imposition of certain minimum penalties.

## **Senate Bill No. 1729**

Sponsor: Sen Schumer [NY], introduced 9/30/09.

Status: 9/30/2009 Read twice and referred to the Committee on Commerce, Science, and Transportation.

A bill to establish driver education curriculum for teenage drivers and to provide grants to States and tribal governments to carry out driver education training for licensed teenage drivers.

## **Senate Bill No. 1938**

Sponsor Sen Rockefeller [WVA], introduced 10/27/09.

Status: 10/29/2009 Referred to the Committee on Commerce, Science, and Transportation.

Distracted Driving Prevention Act of 2009 - Directs the Secretary of Transportation to make grants to states that enact laws that prohibit, with certain exceptions, and establish fines for texting and/or handheld cellphone use while driving. Requires a state that receives a grant to allocate: (1) at least 50% to educate and advertise to the public about the dangers of texting or using a cellphone while driving as well as enforce the distracted driving law; and (2) up to 50% for other traffic safety improvement projects.

Directs the Administrator of the National Highway Traffic Safety Administration (NHTSA) to administer a distracted driving national education program with at least two high-visibility education and advertising campaigns.

Requires the Secretary to establish a research program to study distracted driving by passenger and commercial vehicle drivers.

Directs the the Federal Communications Commission (FCC) to report to Congress on existing and developing wireless communications technology that may be used to reduce problems associated with distracted driving.

Requires the Secretary to: (1) prescribe regulations on the use of electronic or wireless devices, including cell phones and other distracting devices, by operators of commercial motor vehicles and school buses; and (2) prohibit their use in circumstances where it interferes with the driver's safe operation of the vehicles.

## **Senate Bill No. 2920**

Sponsor: Sen Lautenberg [NJ], introduced 12/21/09.

Status: 12/21/2009 Read twice and referred to the Committee on Environment and Public Works.

A bill to amend chapter 1 of title 23, United States Code, to condition certain highway funding to States on the enactment and enforcement of States of laws to prevent repeat intoxicated driving.

## **Senate Bill No. 3039**

Sponsor: Sen Udall [NM], introduced 2/25/10.

Status: 2/25/2010 Read twice and referred to the Committee on Commerce, Science, and Transportation.

A bill to prevent drunk driving injuries and fatalities.



# TRANSPORTATION EVENTS CALENDAR

Please visit the National Indian Justice Center web site to view more upcoming transportation events. Go to: [www.nijc.org/ttap\\_events.html](http://www.nijc.org/ttap_events.html)

## APRIL 2010

April 18-21  
**2010 APWA North American Snow Conference**

Qwest Center  
Omaha, NB  
For more information go to:  
<http://sites.apwa.net/snow/2010/home.aspx>

April 18-21  
**16th Annual CALGIS Conference**  
Hyatt Regency Huntington Beach Hotel  
Huntington Beach, CA  
For more information go to:  
<http://indigenoumapping.net/the-news/latestnews/196-calgis2010tribalin-vite.html>

**NATIONAL WORK ZONE  
AWARENESS WEEK  
April 19-23**

April 19-22  
**17th Annual Northwest Tribal Transportation Symposium**  
Red Lion Hotel on the River-Jantzen Beach  
Portland, OR  
For more information go to:  
<http://www.ewu.edu/x25315.xml>

April 28  
**Maintenance Decision Support System Showcase—UTAH LTAP**  
Millennium Alaskan Hotel  
Anchorage, AK  
For more information go to:  
<http://www.utahltap.org/default.php>

## MAY 2010

May 12-14  
**Federal Indian Law 101  
Health Crisis in Indian Country**

Atlantis Hotel and Casino  
Reno, NV  
For more information go to:  
<http://www.nijc.org/training.html>

**NATIONAL PUBLIC  
WORKS WEEK  
May 16-23**

May 19  
**Maintenance Decision Support System Showcase—UTAH LTAP**  
Crowne Plaza Hotel  
Madison, WI  
For more information go to:  
<http://www.utahltap.org/default.php>

May 19-21  
**Fourth International Conference on Financing Surface Transportation in the U.S.**  
Roosevelt Hotel  
New Orleans, LA  
For more information go to:  
<http://onlinepubs.trb.org/onlinepubs/conferences/2010/Finance/Program.pdf>

May 23-28  
**Community Transportation Expo**  
Long Beach Convention Center  
Long Beach, CA  
For more information go to:  
<http://guest.cvent.com/EVENTS/Info/Summary.aspx?e=10309350-47f1-49f1-bca3-c4a762599118>

May 24-25  
**Tribal Transportation Conference**  
Community Transportation Expo  
Long Beach Convention Center  
Long Beach, CA  
For more information go to:  
<http://guest.cvent.com/EVENTS/Info/Custom.aspx?cid=19&e=10309350-47f1-49f1-bca3-c4a762599118#tribal>

## JUNE 2010

June 8-10  
**2010 APWA Sustainability in Public Works Conference**  
Hilton Minneapolis

Minneapolis, MN  
For more information go to:  
<http://sites.apwa.net/sustainability/2010/home.aspx>

Jun 21-24  
**North American Travel Monitoring Exposition and Conference (NATMEC)** Improving Traffic Data Collection Analysis and Use  
Sheraton Seattle Hotel  
Seattle, WA  
For more information go to:  
<http://guest.cvent.com/EVENTS/Info/Summary.aspx?e=af62dcfc-20d1-447e-ba4d-715e8efbdb59>

June 22-14  
**2010 Rail Corridor Safety Conference**  
Hotel Murano  
Tacoma, WA  
For more information go to:  
<http://www.techtransfer.berkeley.edu/railroad/>

## JULY 2010

July 12-15  
**National LTAP/TTAP Conference**  
Renaissance Hotel and Convention Center  
Oklahoma City, OK  
For more information go to:  
<http://okc2010.com/>

July 12-16  
**ESRI International User Conference**  
San Diego Convention Center  
San Diego, CA  
For more information go to:  
<http://www.esri.com/events/user-conference/index.html>

July 14  
**Maintenance Decision Support System Showcase—UTAH LTAP**  
Telaris Conference Center  
Seattle, WA  
For more information go to:  
<http://www.utahltap.org/default.php>

# TRIBAL TRANSPORTATION PARTNERS DIRECTORY

## FEDERAL



Federal Highway Administration (FHWA) is charged with the broad responsibility of ensuring that America's roads and highways continue to be the safest and most technologically up-to-date. Although State, local, and tribal governments own most of the Nation's highways, FHWA provides financial and technical support to them for constructing, improving, and preserving America's highway system.

### **Federal Highway Administration**

United States Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

<http://www.fhwa.dot.gov/index.html>

The Central Federal Lands Highway Division (CFLHD) operates as part of the Federal Lands Highway Program, serving the needs of all central states. CFLHD actively administers the surveying, designing and constructing of forest highway system roads, parkways and park roads, Indian reservation roads, defense access roads, and other Federal lands roads. CFLHD also provides training, technology, deployment, engineering services, and products to other customers.

### **Central Federal Lands Highway Division**

Federal Highway Administration  
12300 West Dakota Ave.  
Lakewood, CO 80228  
(720) 963-3500

<http://www.cflhd.gov/index.cfm>

The Office of Federal Lands Highway (FLH) provides program stewardship and transportation engineering services for planning, design, construction, and rehabilitation of the highways and bridges that provide access to and through federally owned lands.

The primary purpose of the FLHP is to provide financial resources and technical assistance for a coordinated

program of public roads that service the transportation needs of Federal and Indian lands.



### **Office of Federal Lands Highway**

Federal Highway Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
(202) 366-9494

<http://www.fhwa.dot.gov/flh/index.htm>

Federal Transit Administration (FTA) is one of 10 modal administrations within the U.S. Department of Transportation. Headed by an Administrator who is appointed by the President of the United States, FTA administers federal funding to support a variety of locally planned, constructed, and operated public transportation systems throughout the U.S., including buses, subways, light rail, commuter rail, streetcars, monorail, passenger ferry boats, inclined railways, and people movers.

### **Federal Transit Administration**

1200 New Jersey Avenue, SE  
4<sup>th</sup> & 5<sup>th</sup> Floors East Building  
Washington, DC 20590

<http://www.fta.dot.gov/>

### **FTA Region 9 Offices**

Federal Transit Administration  
201 Mission Street Suite 1650  
San Francisco, CA 94105  
(415) 744-3133

[http://www.fta.dot.gov/regions/regional\\_offices\\_909.html](http://www.fta.dot.gov/regions/regional_offices_909.html)



### **Rural Transit Assistance Program (RTAP)**

The mission is to address the needs of rural, small urban and tribal transit operators across the nation.

Union Station Business Center  
Ten G Street NE, Suite 710  
Washington, DC 20002  
Main: 202-248-5043  
Fax: 202-289-6539

<http://www.nationalrtap.org/>



# TRIBAL TRANSPORTATION PARTNERS DIRECTORY

**National Local Technical Assistance Program (NLTAPA)** is a not-for-profit organization representing and serving the 58 LTAP and TTAP Member-Centers in the United States and Puerto Rico. All staff of Member-Centers are entitled to Association services and opportunities to Serve. [www.nltapa.org](http://www.nltapa.org)

## **Bureau Of Indian Affairs**

There are millions of acres of land held in trust by the United States for American Indians, Indian tribes, and Alaska Natives. There are 561 federal recognized tribal governments in the United States. Developing forestlands, leasing assets on these lands, directing agricultural programs, protecting water and land rights, developing and maintaining infrastructure and economic development are all part of the agency's responsibility. In addition, the Bureau of Indian Affairs provides education services to approximately 48,000 Indian students.

## **Bureau of Indian Affairs**

1849 C Street, N.W.  
Washington DC 20240  
(202) 208-7163  
[www.bia.gov](http://www.bia.gov)



## **Pacific Regional Office**

Bureau of Indian Affairs  
2800 Cottage Way  
Sacramento, CA 95825  
(916) 978-6000

## **Western Regional Office**

Bureau of Indian Affairs  
400 N. 5th Street, 2 AZ Center, 12th Floor  
Phoenix, AZ 85004  
(602) 379-6600

## **CALIFORNIA**

CALIFORNIA DEPARTMENT OF  
**TRANSPORTATION**



The Native American Liaison Branch was created in 1999 in the Department of Transportation to serve as a liaison between the Department, federal, state, local, and regional transportation agencies to establish and maintain government to government working relationships with Tribal Governments throughout California.

## **California Department of Transportation**

Division of Transportation Planning, Native American Liaison Branch  
1120 N Street  
Sacramento, CA 95814  
(916) 653-3175  
<http://www.dot.ca.gov/hq/tpp/offices/orip/na/index.html>

## **California Local Technical Assistance Program (LTAP)**

California Technology Transfer Program  
University of California Berkley  
RFS 1301 S 46<sup>th</sup> St., Bldg 155  
Richmond, CA 94804  
(510) 665-3608  
<http://www.techtransfer.berkeley.edu/>

## **NEVADA**



The Nevada Department of Transportation is responsible for the planning, construction, operation and maintenance of the 5,400 miles of highway and over 1,000 bridges which make up the state highway system.

## **Nevada Department of Transportation**

1263 South Stewart Street  
Carson City, NV 89712  
(775) 888-1433  
<http://www.nevadadot.com>

## **Nevada Local Technical Assistance Program (LTAP)**

Nevada Transportation Technology Transfer Center  
Nevada T2 Center/257  
University of Nevada  
Reno, NV 89557  
(775) 784-1433  
<http://www.t2.unr.edu/>

# TRIBAL TRANSPORTATION RESOURCES

## CALIFORNIA

**California Department of Transportation (Caltrans) Native American Liaison Branch**

<http://www.dot.ca.gov/hq/tpp/offices/orip/na/index.html>

**California Department of Transportation: Division of Mass Transportation**

<http://www.dot.ca.gov/hq/MassTrans/>

**California Department of Transportation**

Caltrans Economic Recovery Website

<http://www.dot.ca.gov/Recovery/>

**California Bay Delta Authority**

<http://www.calwater.ca.gov/calfed/Tribal.html>

**California Environmental Protection Agency**

<http://www.calepa.ca.gov/>

## NEVADA

**Nevada Department of Transportation (NDOT)**

Local Governmental Liaison

<http://www.nevadadot.com/>

**Nevada Department of Transportation**

NDOT Information Related to the American Recovery and Reinvestment Act

<http://www.nevadadot.com/projects/Stimulus/default.asp>

**Southern Nevada Regional Transportation Commission**

<http://www.rtcsonthernnevada.com/>

## FEDERAL

**US DOT Federal Highway Administration (FHWA)**

<http://www.fhwa.dot.gov/>

**US DOT Federal Transit Administration (FTA)**

<http://www.fta.dot.gov/>

**FTA Region 9 Offices**

[http://www.fta.dot.gov/regions/regional\\_offices\\_909.html](http://www.fta.dot.gov/regions/regional_offices_909.html)

**Office of Federal Lands Highway**

<http://www.fhwa.dot.gov/flh/index.htm>

**Central Federal Lands Highway Division**

<http://www.cflhd.gov/about/>

**Bureau of Indian Affairs**

<http://www.bia.gov/>

**US DOT/FHWA Federal Lands Highway**

Coordinated Technology Implementation Program

The Federal Lands Highway Coordinated Technology Implementation Program is a cooperative technology deployment and sharing program between the FHWA Federal Lands Highway office and the Federal land management agencies. It provides a forum for identifying, studying, documenting, and transferring new technology to the transportation community.

For more information go to:

<http://www.ctiponline.org/>

**National Transportation Library (NTL)**

Follow link: VDOT One Search

<http://ntl.bts.gov/exit/vdot.html>

## ENVIRONMENTAL

**US Environmental Protection Agency Region 9**

<http://www.epa.gov/region09/tribal/index.html>

**US EPA American Indian Environmental Office**

<http://www.epa.gov/indian/>

**US DOI National Park Service American Indian Liaison Office**

<http://www.nps.gov/history/ailo/ailohome.htm>

**US DOT FHWA Roadside Vegetation Management**

A technical resource for the care of the land and vegetation management.

<http://www.fhwa.dot.gov/environment/vegmgmt/index.htm>

## ORGANIZATIONS

**California Indian Basketweavers Association**

<http://www.ciba.org/>

**California Indian Manpower Consortium, Inc.**

<http://www.cimcinc.org/>

**California Indian Museum & Culture Center**

<http://www.cimcc.org/>

**National Indian Justice Center**

<http://www.nijc.org/>

**Center for Excellence in Rural Safety**

Launched a new interactive Web tool called Safe Road Maps. It was developed by CERS researcher Tom Horan and his team at Claremont University. Visit the CERS home page for links to the releases and to Safe Road Maps: [www.ruralsafety.umn.edu](http://www.ruralsafety.umn.edu).

**Institute Of Transportation Studies**

University of California Berkeley

# TRIBAL TRANSPORTATION RESOURCES

## NewsBITS

For more information go to:  
<http://www.its.berkeley.edu/>

## Office of Indian Energy and Economic Development

Tribal Energy and Environmental Information Clearinghouse (TEEIC)

The site includes information about energy resource development and associated environmental impacts and mitigation measures; guidance for conducting site-specific environmental assessments and developing monitoring programs; information about applicable federal laws and regulations; and federal and tribal points of contact.

<http://teeic.anl.gov/>

## TribalGIS.com

Is a newly established technical forum for (and by) Tribal GIS Professionals across the country.

For more information go to:  
[www.tribalgis.com](http://www.tribalgis.com)

## LTAPP/TTAP Interchange

An Audio Newsletter

Aims to share news between centers and the LTAPP/TTAP community.

To listen go to the news section at:

<http://ltapt2.org>

## California Tribal Transportation Coalition (CTTC)

Formed to ensure that California tribes are not left out of the next Federal Transportation Authorization bill.

For more information go to:  
<http://www.californiatribes.org/>

## Community Transportation Association of America

Technical Assistance for Rural and Tribal Communities

For more information go to:

<http://web1.ctaa.org/webmodules/webarticles/anmviewer.asp?a=49&z=36>

## National Association of County Engineers

To visit the website go to:

<http://www.countyengineers.org/>

## Northern California APWA Chapter

To visit the web site go to:

<http://northernca.apwa.net/>

## ENVIRONMENT AND CLIMATE CHANGE

### General Climate Change Information

Arnold & Porter Climate Change Litigation Summary Chart

<http://www.climatecasechart.com/>

## US EPA

State and Local Government Climate Change Actions

<http://epa.gov/climatechange/wycd/stateandlocalgov/state.html>

## National Highway Traffic Safety Administration (NHTSA)

Final Environmental Impact Statement Corporate Average Fuel Economy Standards, Passenger cars and Light Trucks, Model Years 2011-2015.

To view the document go to

<http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480744272>

## Columbia River Crossing

<http://www.columbiarivercrossing.org/Default.aspx>

## Intercounty Connector

<http://www.iccproject.com/>

## FHWA—Travel Modeling

Using GIS in Planning and Environment Linkages (PEL) go to: <http://gis.fhwa.dot.gov>

## 2009 California Climate Adaptation Strategy Discussion Draft

A first-of-its-kind multi-sector strategy to help guide California's efforts in adapting to climate change impacts is now available for public comment.

For more information and to view the draft go to:  
<http://www.climatechange.ca.gov/adaptation/index.html>

## Multicultural Environmental Leadership Development Initiative (MELDI)

University of Michigan

Staff conduct research on environmental workforce dynamics and provides resources to help enhance the leadership and career development opportunities available to students, activists and environmental professionals.

For more information go to:

<http://meldi.snre.umich.edu/>

## California Research Bureau

Environment, Growth Management, and Transportation Supplement

For more information and links go to:

<http://www.library.ca.gov/sitn/crb/docs/20090504.pdf>

## AASHTO—Center for Environmental Excellence

The new web page offers background and an overview of GIS technology and its importance for environmental applications in transportation.

For more information go to:

[http://environment.transportation.org/environmental\\_issues/gis/](http://environment.transportation.org/environmental_issues/gis/)

# TRIBAL TRANSPORTATION RESOURCES

## SAFETY RESOURCES

### **Tribal Road Safety Audits: CASE STUDIES**

Sponsored by FHWA (Office of Safety and Office of Federal Lands)

Road Safety Audits (RSAs) are an effective tool for proactively improving the future safety performance of a road project during the planning and design sates, and for identifying safety issues in existing transportation facilities.

For additional information and resources on RSA's go to: <http://safety.fhwa.dot.gov/rsa/>

### **Arizona Department of Transportation**

By Esther Corbett & Robert Mickelson at the Intertribal Council of Arizona, Inc.

592 Building Tribal Traffic Safety Capacity  
[http://www.azdot.gov/TPD/atrc/Publications/project\\_reports/PDF/AZ592.pdf](http://www.azdot.gov/TPD/atrc/Publications/project_reports/PDF/AZ592.pdf)

And,

592 Tribal Traffic Safety Funding Guide  
[http://www.azdot.gov/TPD/atrc/Publications/project\\_reports/PDF/AZ592s.pdf](http://www.azdot.gov/TPD/atrc/Publications/project_reports/PDF/AZ592s.pdf)

### **Insurance Institute Highway Loss**

Fatality Analysis Reporting System (FARS)  
From the US DOT.

[http://www.iihs.org/research/fatality\\_facts\\_2008/default.html](http://www.iihs.org/research/fatality_facts_2008/default.html)

### **National Institute for Occupational Safety and Health (NIOSH)**

Construction Equipment Visibility

<http://www.cdc.gov/niosh/topics/highwayworkzones/BAD/default.html>.

### **Vista Training Programs**

Backhoe-Loader Instructor Kit

[http://www.vista-start-smart.com/html/backhoe-loader\\_instructor\\_kit.html](http://www.vista-start-smart.com/html/backhoe-loader_instructor_kit.html)

### **Interactive Highway Safety Design Model**

(IHSDM—2008 Release)

Analysis tools for evaluating safety and operational effects of geometric designs on two-lane rural roads. The software and associated documents are available for free downloading at:

<http://www.ihsdm.org>

### **Work Zone Law Enforcement**

Safe and Effective Use of Law Enforcement in Work Zones

For more information go to

[http://safety.fhwa.dot.gov/wz/law\\_enforce/](http://safety.fhwa.dot.gov/wz/law_enforce/)

### **U.S. Department of Transportation**

Rural Safety Initiative

Rural roads carry less than half of America's traffic yet they account for over half of the nation's vehicular deaths. It is time to put a national focus on a local problem. For more information on the Characteristics of Rural Crashes, go to:

<http://www.dot.gov/affairs/ruralsafety/ruralsafetyinitiativeplan.htm>

### **FHWA Office of Safety**

FHWA safety officials, transportation officials and safety experts strongly recommend better use of nine tools that are keys to reducing roadway fatalities each year. For more information go to:

<http://safety.fhwa.dot.gov/policy/memo071008/>

Safety Circuit Rider Programs-Best Practices Guide

This guide is intended to provide state DOT and LTAP/TTAP centers with an easy -to- use resources for implementing or enhancing a Safety Circuit Rider (SCR) program. Available on-line at:

[http://safety.fhwa.dot.gov/local\\_rural/training/fhwasa09019/](http://safety.fhwa.dot.gov/local_rural/training/fhwasa09019/)

Basic Course Slides on Retro-reflectivity, go to:

[http://safety.fhwa.dot.gov/roadway\\_dept/night\\_visib/retrotoolkit/moreinfo/intro/](http://safety.fhwa.dot.gov/roadway_dept/night_visib/retrotoolkit/moreinfo/intro/)

Nighttime Visibility Policy/Guidance

[http://safety.fhwa.dot.gov/roadway\\_dept/night\\_visib/policy\\_guide/](http://safety.fhwa.dot.gov/roadway_dept/night_visib/policy_guide/)

Sign Visibility: Training, Technical Guidance, & Research go to:

[http://safety.fhwa.dot.gov/roadway\\_dept/night\\_visib/sign\\_visib/](http://safety.fhwa.dot.gov/roadway_dept/night_visib/sign_visib/)

Maintenance of Drainage Features for Safety

A guide for local street and highway maintenance personnel To view the guide go to:

[http://safety.fhwa.dot.gov/local\\_rural/training/fhwasa09024/](http://safety.fhwa.dot.gov/local_rural/training/fhwasa09024/)

Intersection Safety Resources

To visit the web page go to:

<http://safety.fhwa.dot.gov/intersection/resources/>

Intersection Safety Presentations

30 and 60 minute presentations on the topic of safety at intersections. The presentation is intended to relay safety issues at intersections (including the typical types of crashes) along with some techniques to address these issues.

To view the presentations go to:

<http://safety.fhwa.dot.gov/intersection/resources/intsafpst092609/>

# TRIBAL TRANSPORTATION RESOURCES

## **Cornell Local Roads Program**

Work Zone Safety and Flagger Tutorial

The purpose of this tutorial is to provide the fundamentals of work zone safety and to explain the concepts of flagging in a work zone. It is not intended to replace comprehensive instruction of the topic.

To view the tutorial go to:

<http://www.clrp.cornell.edu/flaggingtutorial/flagtutorial.htm>

## **The National Work Zone Safety Information Clearinghouse**

The National Work Zone Safety Information Clearinghouse is dedicated to providing the transportation construction industry and the general public with comprehensive information to improve motorist, worker and pedestrian safety in roadway work zones.

Now a new international section in six languages.

For more information go to:

<http://www.workzonesafety.org/>

## **AAA Foundation**

2009 Traffic Safety Culture Index

Investigates the public's traffic safety knowledge, attitudes, behaviors, and experiences.

To view the index go to:

<http://www.aaafoundation.org/pdf/2009TSCIndexFS.pdf>

## **MinimumReflectivity.org**

Guidance for Improving Roadway Safety:

Understanding Minimum Reflectivity Standards go to:

<http://minimumreflectivity.org/index.asp>

## **National Highway Traffic Safety Association (NHTSA)**

State traffic safety information for the year 2008

To access the data for each state go to:

<http://www-nrd.nhtsa.dot.gov/departments/nrd-30/ncsa/STSI/USA%20WEB%20REPORT.HTM>

## **Federal Transit Administration**

Transit Bus Safety

Online resources and tools, designed to help rural and small urban transit bus providers develop and strengthen their programs.

To access the website go to:

<http://bussafety.fta.dot.gov/splash.php>

## **Utah DOT and the Utah Highway Safety Office**

Zero Fatalities

To visit the web site go to:

<http://ut.zerofatalities.com/>

## **CONSULTATION**

### **TRB Committee on Native American Transportation Issues**

TRB has provided links to examples of federal, state and non-governmental organization online resources related to tribal consultation policies and guidelines.

To view the resources go to:

[http://nijc.org/datasheets/ttap/TTAP\\_ResourceList.asp](http://nijc.org/datasheets/ttap/TTAP_ResourceList.asp)

and enter consultation in the *Search by Topic*.

## **MISCELLANEOUS TRANSPORTATION RESOURCES**

### **U.S. DOT**

ARRA Transportation Spending Map

American Recovery and Reinvestment and Act is supporting 9,722 projects with \$30.1 billion of investment.

To view the map go to:

<http://rithqnwws019.rita.dot.gov/dot/index.html>

### **FHWA-National Highway Specifications**

Clearinghouse and electronic library. Current specifications, construction manuals and drawings.

For more information go to:

[www.specs.fhwa.dot.gov](http://www.specs.fhwa.dot.gov)

### **The FHWA has established a web site with information about the Economic Recovery**

For more information go to:

<http://www.fhwa.dot.gov/economicrecovery/index.htm>

### **FHWA Implementation Guidance for the ARRA Act.**

To view these procedures go to:

[http://www.nijc.org/ttap\\_funding.html](http://www.nijc.org/ttap_funding.html)

### **FHWA Resource Center**

#### **Planning Team**

The Planning Technical Service Team at the Federal Highway Administration (FHWA) Resource Center helps support the planning process through the provision of training, technical assistance, technology deployment, and partnerships.

For more information go to:

<http://www.fhwa.dot.gov/resourcecenter/teams/planning/index.cfm>

### **Rural Technical Resource Assistance Center (R-TRAC)**

National PTAP is proud to announce the official launch of our new improved online library, R-TRAC, for rural transit training resources.

All R-TRAC resources are free.

To visit the center go to:

<http://www.rtrac.org/search.aspx>

# TRIBAL TRANSPORTATION RESOURCES

## TRANSPORTATION PROGRAMS AND DEVELOPMENT



### FHWA Resource Center

The Mission to: advance transportation technologies and solutions through training, technical assistance, technology deployment, and partnerships.

For more information go to:

<http://www.fhwa.dot.gov/resourcecenter/>

### National Highway Institute (NHI) - 2010

The NIH in partnership with the Transportation Curriculum Development Council has developed a number of FREE web-based trainings that can be completed in one, two, or three hours. Whether you are working in the field, have limited time for training, or just want to expand your skill set on a specific topic these web-based courses provide an ideal way to enhance your knowledge on key areas.

To view the list of available courses go to:

<https://www.nhi.fhwa.dot.gov/home.aspx>

The FHWA has developed an extensive list of resources that focus specifically on the latest culvert technology. To view this list go to: [http://www.nijc.org/ttap\\_resources.html](http://www.nijc.org/ttap_resources.html)

### FHWA-NHI-380095

Geometric Design: Applying Flexibility and Risk Management  
This course provides participants with knowledge of the functional basis of critical design criteria to enable informed decisions when applying engineering judgment and flexibility.

Length: 2 days CEU 1.2 Units Fee: \$350

For more information and to register go to:

<https://www.nhi.fhwa.dot.gov/home.aspx>

### Office of Professional and Corporate Development (OPCD)

For more information go to:

<http://www.fhwa.dot.gov/opd/>

### Coordinated Federal Lands Highway Technology Implementation Program (CTIP)

Protecting Sensitive Plants During Road Maintenance  
Road Maintenance with Threatened, Endangered or Sensitive Plants: Finding Solutions provides an overview of the process the U.S. Department of Agriculture Forest Service and other Federal agencies—must follow to comply with the laws and policies for road maintenance when threatened endangered or sensitive plants exist or are discovered.

A copy of the publication is available for download at: [http://www.fs.fed.us/eng/php/library\\_card.php?p\\_num=0677%](http://www.fs.fed.us/eng/php/library_card.php?p_num=0677%)

### Rural Transit Assistance Program

Scheduling and Dispatching Training Package for Rural transit Systems. And, RTAP Best Practices.

To visit the web site go to:

<http://www.nationalrtap.org/newreleases>

### LTAP/TTAP Academy

The goal of the Academy is to provide both new and current LTAP/TTAP staff with a broad overview of the national program and opportunities for continued professional development. For more information go to:

<http://www.ltapt2.org/resources/>

### Southwestern Indian Polytechnic Institute

Geospatial Information Technology Program  
Summer 2010 Short Course Schedule

All classes are open to tribal members or tribal employees, or those whom a tribe requests to be trained. There is no charge for the class unless you are taking the class for credit.

For more information go to:

<http://www.sipi.edu/>

## PUBLICATIONS



### U.S. DOT-FHWA

#### FHWA-HRT-08-067

Traffic Calming on Main Roads Through Rural Communities

Speed management is a significant challenge for most communities in the United States. This is particularly true for small, rural communities where the main roadway through the town serves a dual role. A more permanent way to reinforce the need to reduce speed is to change the look and feel of the road by installing traffic calming treatments that communicate to drivers that the function of the roadway is changing.

To view this publication go to:

<http://www.tfrc.gov/safety/pubs/08067/index.htm>

#### FHWA-HRT-08-051

Surrogate Safety Assessment Model (SSAM)

A technique combining micro simulation and automated-conflict analysis, which analyzes the frequency and character of narrowly averted vehicle-to-vehicle collisions in

# TRIBAL TRANSPORTATION RESOURCES

traffic, to assess the safety of traffic facilities without waiting for a statistically above normal number of crashes and injuries to actually occur. The SSAM software and user manual (FHWA-HRT-08-050) are free to the public from FHWA.

For more information go to:

<http://www.tfsrc.gov/safety/intersect.htm>

Using Modeling and Simulation Tools for Work Zone Analysis.

Modeling and simulation tools can support efforts to conduct work zone analysis, and the Federal Highway Administration (FHWA) has created some new guides to help agency staff use these tools effectively.

For more information go to:

[http://www.ops.fhwa.dot.gov/wz/traffic\\_analysis/wza\\_leaflet/wza\\_leaflet.htm](http://www.ops.fhwa.dot.gov/wz/traffic_analysis/wza_leaflet/wza_leaflet.htm)

FHWA-HRT-09-031

Safety Evaluation of Lane and Shoulder Width Combinations on Rural, Two-Lane, Undivided Roads

To view the publication go to:

<http://www.tfsrc.gov/safety/pubs/09031/09031.pdf>

FHWA-SA-09-020

Low Cost Safety Enhancements for Stop-controlled and Signalized Intersections

To view the publication go to:

<http://safety.fhwa.dot.gov/intersection/resources/fhwasa09020/>

Public Roads Magazine

Reading *Public Roads* is the easiest way to keep up-to-date on developments in federal highway policies, programs, and research and technology.

To view the link go to:

<http://www.tfsrc.gov/pubrds/index.htm>

FHWA-SA-09-023

The Safety Edge

Roadway departures account for 53 percent of fatal crashes.

Pavement edges may have been a contributing factor in as many as 18 percent of rural run-off-road crashes on paved roadways with unpaved shoulders. This type of crash was four times more likely to include a fatality than rural crashes overall on similar roads.

For more information and the publication go to:

[http://safety.fhwa.dot.gov/roadway\\_dept/pavement/safedge/](http://safety.fhwa.dot.gov/roadway_dept/pavement/safedge/)

FHWA-SA-02-007

Report on the National Agenda for Intersection Safety  
Improving intersection safety is a priority for the numerous highway safety organizations. This goal is often a

major one for officials involved with legislation, planning, policy, program, design, enforcement, emergency services and education.

To view the report go to:

<http://safety.fhwa.dot.gov/intersection/resources/nafrist0070>

Intersection Safety Needs Identification Report

Documents the investigation of the current accuracy, relevance and implementation of the strategies contained in the National Agenda for Intersection Safety.

To view the report go to:

<http://safety.fhwa.dot.gov/intersection/resources/needsidrpt/>

Pavement Management Primer

Pavements represent the largest capital investment in any modern highway system. Maintaining and operating pavements on a large highway system typically involves complex decisions about how and when to resurface or apply other treatments to keep the highway performing and operating costs at a reasonable level. To download the primer go to:

<http://www.fhwa.dot.gov/infrastructure/asstmgmt/pmprimer.pdf>

MUTCD 2009 Edition

On December 16, 2009 a final rule adopting the 2009 Edition of the MUTCD was published in the Federal Register. States must adopt the 2009 National MUTCD as their legal State standard for traffic control devices within two years. The Federal Register notice, which provides detailed discussion of the FHWA's decisions on major changes from the 2003 edition, can be viewed at:

<http://edocket.access.gpo.gov/2009/pdf/E9-28322.pdf>

(PDF, 716KB). To view the 2009 MUTCD and other related information, go to: [http://mutcd.fhwa.dot.gov/kno\\_2009.htm](http://mutcd.fhwa.dot.gov/kno_2009.htm)

Public Roads Nov/Dec 2009

The Role of TTAPs in Tribal Transportation

By John Sullivan IV and Clark Martin

To view the article go to:

<http://www.tfsrc.gov/pubrds/09novdec/03.htm>

FHWA –Office of Operations

Work Zone Mobility and Safety Self Assessment  
2009 Annual Report

To view the report go to:

[http://www.ops.fhwa.dot.gov/wz/decision\\_support/2009/wzsa\\_2009.pdf](http://www.ops.fhwa.dot.gov/wz/decision_support/2009/wzsa_2009.pdf)

FHWA –Office of Safety

Local Roads Safety Resource CD

Provides information and tools to plan and implement roadway safety improvements. Organized by topic area in one place, the Local Roads Safety Resource CD provides guidance, tools, and other resources from government agencies and national associations on local roadway safety.

# TRIBAL TRANSPORTATION RESOURCES

## PUBLICATIONS (Con't)

To view the information and order the CD go to:

[http://safety.fhwa.dot.gov/local\\_rural/training/resourcecd/fhwasal0003/fhwasal0003.pdf](http://safety.fhwa.dot.gov/local_rural/training/resourcecd/fhwasal0003/fhwasal0003.pdf)

FHWA-SA-10-021

Implementing the High Risk Rural Roads Program

The document highlights common challenges to the High Risk Rural Roads Program (HRRRP); lessons learned and noteworthy practices shared by states. It is intended for use by states and relevant stakeholders to launch their HRRRP; identify next steps to a program already moving forward or implement noteworthy practices to improve an established program.

To view the report go to:

[http://safety.fhwa.dot.gov/local\\_rural/training/fhwasal0021/](http://safety.fhwa.dot.gov/local_rural/training/fhwasal0021/)

FHWA-SA-09-025

Maintenance of Signs and Sign Supports: A Guide for Local Roads Maintenance Personnel.

To view the guide go to:

[http://safety.fhwa.dot.gov/local\\_rural/training/fhwasal09025/](http://safety.fhwa.dot.gov/local_rural/training/fhwasal09025/)

## TRANSIT COOPERATIVE RESEARCH PROGRAM

TCRP RRD 90

Guide to Planning Resources on Transportation and Hazards

This report highlights a framework for thinking about the stages of a disaster, and identifies some of the most current and innovative hazard-related research.

To download this publication go to:

[http://www.tcrponline.org/bin/publications.pl?mode=abstract&cat\\_id=23&pub\\_id=1503](http://www.tcrponline.org/bin/publications.pl?mode=abstract&cat_id=23&pub_id=1503)

TCRP RRD 93

Rural Transit Achievements: Assessing the Outcomes of Increased Funding for Rural Passenger Service Under SAFETEA-LU

This document explores data and information in the changes in rural and intercity bus transportation that have resulted from the increases in funding made available through SAFETEA-LU.

To download these publications go to:

[http://www.tcrponline.org/bin/publications.pl?mode=abstract&cat\\_id=23&pub\\_id=1504](http://www.tcrponline.org/bin/publications.pl?mode=abstract&cat_id=23&pub_id=1504)

TCRP LRD 29

First Amendment Implications for Transit Facilities: Speech, Advertising, and Loitering

Transit agencies face numerous challenges in providing passengers with a safe and efficient means of travel while respecting the freedom of expression protected by the First Amendment. This digest supplements LRD No.

10, summarizing and analyzing the status of this important

area of the law in light of court decisions and other developments that have arisen in subsequent years.

To download this publication go to:

<http://www.tcrponline.org/bin/publications.pl?mode=abstract&>

TCRP R 131

A Guidebook for the Evaluation of Project Delivery Methods

This report examines various project delivery methods for major transit capital projects. The report also explores the impacts, advantages, and disadvantages of including operations and maintenance as a component of a contract for a project delivery method.

To download this publication go to:

[http://www.tcrponline.org/bin/publications.pl?mode=abstract&cat\\_id=23&pub\\_id=1493](http://www.tcrponline.org/bin/publications.pl?mode=abstract&cat_id=23&pub_id=1493)

## TRANSPORTATION RESEARCH BOARD—TRB

Preparing Coordinated Transportation Plans: A

Guidebook for State Departments of Transportation explores existing coordination planning practices within state departments of transportation (DOT's) that meet Federal Transit Administration (FTA's) requirements.

For more information go to:

[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rrd\\_331.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rrd_331.pdf)

Young Impaired Drivers

The Nature of the Problem and Possible Solutions To view the report go to:

[http://www.trb.org/news/blurb\\_detail.asp?id=10561](http://www.trb.org/news/blurb_detail.asp?id=10561)

NCHRP Report –627

Traffic Safety Evaluation of Nighttime and Daytime Work Zones.

To view the report go to:

[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_627.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_627.pdf)

Guidance for the Design and Application of Shoulder and Centerline Rumble Strips

To view this publication go to:

[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_641.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_641.pdf)

Fatal Crashes Involving Young Drivers

Explores the trend in the number of crashes involving a 15-20 year old driver and the characteristics of those crashes in 2007.

To view the report go to:

<http://www-nrd.nhtsa.dot.gov/Pubs/811218.pdf>

Influence of Roadway Surface Discontinuities on Safety Designed to help highway engineers evaluate roadway



# TRIBAL TRANSPORTATION RESOURCES

maintenance guidelines and priorities. The report addresses safety issues related to roadway roughness, holes, and bumps; the positive effects of road surface discontinuities; pavement edges; friction variations; water accumulations; surface contaminants; and small and large vehicles.

To view the report go to:

<http://onlinepubs.trb.org/onlinepubs/circulars/ec134.pdf>

Information Systems, Geographic Information Systems, and Advanced Computing 2009

Journal of the Transportation Research Board. No. 2105 includes 17 papers that explore passive transit surveys.

For more information go to:

<http://pubsindex.trb.org/view.aspx?id=901822>

Alternative Transportation Programs: A Countermeasure for Reducing Impaired Driving

To view this report go to:

[http://www.trb.org/Main/Blurbs/Alternative Transportation Programs A Countermeasu 162622.aspx?utm\\_medium=email&utm\\_source=Transportation%20Research%20Board&utm\\_campaign=TRB+E-Newsletter+-+12-01-2009&utm\\_content=Web&utm\\_term=](http://www.trb.org/Main/Blurbs/Alternative_Transportation_Programs_A_Countermeasu_162622.aspx?utm_medium=email&utm_source=Transportation%20Research%20Board&utm_campaign=TRB+E-Newsletter+-+12-01-2009&utm_content=Web&utm_term=)

Hazardous Material Cooperative Research Program  
Hazardous Materials Transportation Incident Data For Root Cause Analysis.

The coverage of incidents reported to the U.S. DOT is insufficiently comprehensive in identifying root causes or contributors to accidents. This research focused on potential technical improvements to hazardous materials accident databases that are collected and managed by various agencies.

To view the report go to:

[http://onlinepubs.trb.org/onlinepubs/hmcrp/hmcrp.rtp\\_001.pdf](http://onlinepubs.trb.org/onlinepubs/hmcrp/hmcrp.rtp_001.pdf)

NCHRP Report Synthesis 366

Tribal transportation Programs

This synthesis provides information that will prove useful to tribal governments, and state, local, and federal agencies, in determining the state of tribal transportation programs, and the steps needed to assist tribes in developing the capacity to effectively perform and manage transportation-related functions.

To view the publication go to:

[http://www.nijc.org/pdfs/nchrp\\_syn\\_366.pdf?id=7746](http://www.nijc.org/pdfs/nchrp_syn_366.pdf?id=7746)

Scan Team Report

NCHRP Project 20-68A Scan 07-01

Best Practices in Project Delivery Management

Best practices are those strategies and project-delivery applications that contributed to a state's success in delivering projects. Most of those cited in this report are clearly the best of the best.

To view the report go to:

[http://onlinepubs.trb.org/onlinepubs/nchrp/docs/nchrp20-68A\\_07-01.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/docs/nchrp20-68A_07-01.pdf)

## Community Transportation Association (CTAA)

Tribal Transit

Accessing Federal Transit Funding To Develop Your Transit System

To view this web article go to:

[http://www.ctaa.org/webmodules/webarticles/articlefiles/Ag12Tribal Transit Funding.pdf](http://www.ctaa.org/webmodules/webarticles/articlefiles/Ag12Tribal_Transit_Funding.pdf)

## eSafetyAware

Promoting Advanced Vehicle Safety Technologies

eSafety involves crash avoidance technologies that protect car occupants by informing, advising and alerting the driver about dangerous situations and by assisting him/her to avoid the accident.

To download the publication go to:

[http://www.esafetychallenge.eu/download/challenge/esafety\\_background\\_paper.pdf](http://www.esafetychallenge.eu/download/challenge/esafety_background_paper.pdf)

## BIA—DOT

IRR Program, Inventory and Funding Formula Update

Tribal transportation at a crossroad: Tribal leaders forum on the current state of tribal transportation.

To view the presentation go to:

[http://www.nijc.org/pdfs/TTAP/BIADOT Transportation Presentation OCT11\\_09.pdf](http://www.nijc.org/pdfs/TTAP/BIADOT_Transportation_Presentation_OCT11_09.pdf)

## Minnesota LTAP and DOT

To Pave Or Not To Pave

Making informed decisions about when to upgrade a gravel road.

To view the publication go to:

<http://www.mnltap.umn.edu/Publications/FactSheets/documents/ToPaveorNot/2006PavingGuide.pdf>

## Metropolitan Transportation Commission

Transportation 2035 Plan: San Francisco Bay Area.

To view the plan go to:

[www.mtc.ca.gov/planning/2035\\_plan](http://www.mtc.ca.gov/planning/2035_plan)

## Minnesota DOT

Minnesota Chip Seal Handbook

The primary purpose of this handbook is to provide a solid background in seal coat materials, equipment, design and construction for the field inspector.

To view the publication go to:

<http://www.lrrb.org/PDF/199907.pdf>

## National Conference of State Legislatures

Government to Government

Models of Cooperation Between States and Tribes

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## PUBLICATIONS (Con't)

To view the publication go to:

<http://www.nijc.org/pdfs/TTAP/NCSLGovttoGovt.pdf>

### **Minnesota Department of Transportation MN/RC 2009-27**

Use of Fly Ash for Reconstruction of Bituminous Roads  
The purpose of this study was to develop a practical method to design local roadways using stabilized recycled pavement material (RPM) or stabilized road surface gravel (SRSG) as the base layer and Class C fly ash as the stabilizing agent. The design method was developed in the context of the “gravel equivalency” (GE) design methodology employed for local roads in Minnesota.

To view the report go to:

[http://trb.org/Highways1/Blurbs/  
Use of Fly Ash for Reconstruction of Bituminous Ro 16244  
3.aspx](http://trb.org/Highways1/Blurbs/Use_of_Fly_Ash_for_Reconstruction_of_Bituminous_Ro_162443.aspx)

### **California State Library**

California Research Bureau  
Recent public policy studies.  
Transportation Section—three studies.

To view the studies go to:

<http://www.library.ca.gov/sitn/crb/docs/20090623.pdf>

### **Washington State DOT**

Tribal Transportation Planning Guide for Washington State.

To view the guide go to:

[http://www.wsdot.wa.gov/NR/rdonlyres/D9668173-F25F-448B-  
B571-57EB32122036/0/  
TribalTransportationPlanningGuideforWashingtonState.pdf](http://www.wsdot.wa.gov/NR/rdonlyres/D9668173-F25F-448B-B571-57EB32122036/0/TribalTransportationPlanningGuideforWashingtonState.pdf)

### **National Highway Traffic Safety Administration**

Preventing First-Time DWI Offenses.  
First-Time DWI Offenders in California, New York, and Florida.  
An analysis of past criminality and associated criminal justice interventions.

For more information go to: [http://www.nhtsa.dot.gov/staticfiles/  
DOT/NHTSA/Traffic%20Injury%20Control/Articles/  
Associated%20Files/811074.pdf](http://www.nhtsa.dot.gov/staticfiles/DOT/NHTSA/Traffic%20Injury%20Control/Articles/Associated%20Files/811074.pdf)

Reducing Nonuse of Restraints By Children Ages 5 to 7.

The study objective was to suggest solutions to the problem of unrestrained children riding in motor vehicles.

To view the publication go to:

[http://www.nhtsa.dot.gov/staticfiles/DOT/NHTSA/  
Communication%20&%20Consumer%20Information/Traffic%  
20Tech%20Publications/Associated%20Files/tt382.pdf](http://www.nhtsa.dot.gov/staticfiles/DOT/NHTSA/Communication%20&%20Consumer%20Information/Traffic%20Tech%20Publications/Associated%20Files/tt382.pdf)

### **Oregon Department of Transportation**

Animal-Vehicle Crash Mitigation Using Advanced Technology  
Phase II: System Effectiveness and System Acceptance.

The ODOT has released a report that explores the impact of animal-detection warning signals on reducing vehicle speeds or collisions with large animals.

To view this report go to:

[http://www.oregon.gov/ODOT/TD/TP\\_RES/docs/  
Reports/2009/Animal\\_Vehicle\\_Ph2.pdf](http://www.oregon.gov/ODOT/TD/TP_RES/docs/Reports/2009/Animal_Vehicle_Ph2.pdf)

### **Technology is No Longer a Barrier to Online Business: A Guide to Starting a Website Building Business With- out Tech Skills**

Because of all the recent technological improvements in web development, I decided to write a book detailing how easy it is to create websites that add real value to a business. This book is a summary of how I started and ran my independent web development and consulting business for the past five years. This book should be of particular interest to those who have the responsibility of creating or maintaining a website for their business, those who are in between jobs or retired, and those considering a career change.

To view this book go to:

<http://book.tomdotcom.us>

### **Connecticut DOT**

This report examines road characteristics that influence the actual travel speeds chosen by drivers, to help identify appropriate improvements that could improve road safety.

To view the report go to:

[http://www.ct.gov/dot/LIB/dot/documents/dresearch/CT-  
JHR\\_09-321\\_JH\\_04-6.pdf](http://www.ct.gov/dot/LIB/dot/documents/dresearch/CT-JHR_09-321_JH_04-6.pdf)

### **California DOT—CalTrans**

#### **Transportation Planning Grants Guide**

Community-Based Transportation Planning  
Environmental Justice  
Partnership Planning  
Transit Planning (FTA 5304)  
Statewide or Urban Transit Planning Studies  
Rural or Small Urban Transit Planning Studies  
Transit Planning Student Internships

To view the guide go to:

[http://www.dot.ca.gov/hq/tpp/grant\\_files/1011/FY10-  
11\\_Transportation\\_Grants\\_Guide.pdf](http://www.dot.ca.gov/hq/tpp/grant_files/1011/FY10-11_Transportation_Grants_Guide.pdf)

### **Advocates for Highway and Auto Safety**

The 2010 Roadmap to State Highway Safety Laws  
Changing Dangerous Driving Behavior—Now—  
Especially Among Distracted Teens.

To view the report go to:

[http://www.saferoads.org/files/file/Roadmap%20Report%  
20COMPLETE%20011310.pdf](http://www.saferoads.org/files/file/Roadmap%20Report%20COMPLETE%20011310.pdf)

### **Mineta Transportation Institute**

A Case Study of Enterprise Historic Resources Informa-  
tion Management Large Transportation Agencies

# TRIBAL TRANSPORTATION RESOURCES

The Mineta Transportation Institute at San Jose State University has released a report that examines how the California Department of Transportation (Caltrans) district office information systems for historic resources may be used to create an enterprise information management model.

To view the report go to:

<http://www.transweb.sjsu.edu/MTIportal/research/publications/documents/2502%20-%20Ingbar%20Publication%20%28with%20Covers%29.pdf>

## TRANSPORTATION NEWSLETTERS

### Global Transport Knowledge Partnership (gTKP)

International Newsletter

For more information go to:

<http://www.gtkp.com/default.asp>

### NACE News—Monthly Newsletter

National Association of County Engineers

To View the newsletter go to:

<http://www.naco.org/NACETemplate.cfm?Section=News1&template=/ContentManagement/ContentDisplay.cfm&ContentID=31476>

### Community Transportation Association of America

Tappy Grams is an electronic newsletter that describes new and timely publications on transportation-related information.

To view the newsletter go to:

<http://web1.ctaa.org/webmodules/webarticles/anmviewer.aspx?a=1729&z=76>

### Nevada Department of Transportation

Nevada Research and Technology Review

Quarterly Newsletter

To view the newsletter go to:

[http://www.nevadadot.com/reports\\_pubs/Research\\_Pubs/ResearchNewsletter.asp](http://www.nevadadot.com/reports_pubs/Research_Pubs/ResearchNewsletter.asp)

### FHWA

Safety Compass Quarterly Newsletter

Highway Safety Solutions for Saving Lives

To view current and past issues go to:

<http://safety.fhwa.dot.gov/newsletter/>

### FHWA

Focus Magazine

Accelerating Infrastructure Innovations

To view current and past issues go to:

<http://www.fhwa.dot.gov/publications/focus/10jan/index.cfm>

### Office of Safety

Road Safety Audits (RSA) Newsletter

An outreach resource to provide you with the most current information on RSAs. Our regular features will include an

overview of State RSA programs, current resources to assist you in performing RSAs, and a compilation of RSA-related news stories.

To view the newsletter go to:

<http://safety.fhwa.dot.gov/rsa/newsletter/>

### Resource Center

Centered on Service Newsletter

Success stories from the RC Technical Service Teams to bring you lessons learned, state-of-the-art technologies, and improved processes.

To view the newsletters go to:

<http://www.fhwa.dot.gov/resourcecenter/success/cos.cfm>

**Community Transportation Association of America FAST MAIL Monthly Newsletter.** The latest news and updates from the Community Transportation industry .

To view the newsletter go to:

<http://web1.ctaa.org/webmodules/webarticles/anmviewer.aspx?a=1009&z=37>

### U.S. Environmental Protection Agency

District 9, San Francisco, CA

Tribal Programs Newsletter

To view the tribal web site and newsletter go to:

<http://www.epa.gov/region09/tribal/index.html>

## VIDEOS



### A Road Construction Industry Consortium Training Program Roadway Safety-Roadway Safety

Awareness Program provides an overview of common hazards in highway and road construction and simple prevention measures.

To download Version 9.0 go to: <http://>

[www.workzonesafety.org/training/courses\\_programs/rsa\\_program/overview](http://www.workzonesafety.org/training/courses_programs/rsa_program/overview)

### Environmental Justice in Transportation for California Tribes Video Workbook

Produced by the National Indian Justice Center.

Available at: 707-579-5507 or,

<http://nijc.org/publications.html>

### Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

The Forest Service, Bureau of Land Management and Federal Highway Administration have jointly developed training

# TRIBAL TRANSPORTATION RESOURCES

## VIDEOS (Con't)

videos to show how the various programs authorized within SAFETEA-LU can benefit public lands and their neighboring communities.

The training video can be found at: <http://www.fs.fed.us/eng/safetea-lu>

### **FHWA LTAP/TTAP Clearinghouse**

Operators Pre-Start Motor Grading Inspection  
Promotes motor grader safety and productivity for county and city road agencies.

-AND-

Roadway Safety + Training Program Version 9

Is a standard method of providing worker awareness training for road workers. The RSP+ download includes interactive Macromedia modules, Trainee Booklets, Toolbox Pamphlets, printable screen guides, and an Instructor Manual. Most are provided in 3 languages.

Download program from [www.workzonesafety.org](http://www.workzonesafety.org)

To obtain copies of the videos contact Sarah Crane at 202-289-4434, or e-mail [scrane@artba.org](mailto:scrane@artba.org)

### **FHWA Office of Safety Design**

Two informational videos on DVD.

Median Barriers—A Solution to Cross-Median crashes, and the previously released video, Rumble Strips—A Sound Investment.

Availability will be in February 2009.

Order from FHWA Report Center – publication number #FHWA-SA-08-007.

[report.center@fhwa.dot.gov](mailto:report.center@fhwa.dot.gov)

### **FHWA Office of Safety**

2009 Road Safety Audit (RSA) Video

FHWA has created a new video on Road Safety Audits (RSAs). The new RSA video focuses on the benefits of using a multidisciplinary approach to improve safety.

For more information or to view the video go to:

<http://safety.fhwa.dot.gov/rsa/video2009/>

### **Zero Fatalities Utah DOT**

Reggie P. Shaw Video

His vehicle drifted across the highway centerline and side-swiped an oncoming vehicle on Sept. 22, 2006. The officers investigated and found out that Shaw was text messaging during the time of his accident.

To view the video go to:

[http://ut.zerofatalities.com/?utm\\_medium=email&utm\\_source=Transportation%20Research%20Board&utm\\_campaign=TRB+E-Newsletter+-+08-25-2009&utm\\_content=Web&utm\\_term](http://ut.zerofatalities.com/?utm_medium=email&utm_source=Transportation%20Research%20Board&utm_campaign=TRB+E-Newsletter+-+08-25-2009&utm_content=Web&utm_term)

### **Tribal School Zone Safety: Video and Toolkit**

To obtain a free DVD, Please contact:

Chimai Ngo, 202-366-1231

## **Ordering Information**

Printed copies of our in-house publications are available on a first-come, first served basis. Priority is given to Tribal Transportation Personnel. PDF versions of most of our publications are available on our website: [http://www.nijc.org/ttap\\_resources.html](http://www.nijc.org/ttap_resources.html)

All our videos, publications and CD-ROMs in our lending library are loaned for a four-week period. Two titles may be borrowed at a time.

To order or borrow materials, please e-mail or fax a request to: [barry@nijc.org](mailto:barry@nijc.org) or [nijc@aol.com](mailto:nijc@aol.com) Fax no. 707-579-9019

To view past issues of publications, videos and development programs, please visit our website library: at: [http://nijc.org/datasheets/ttap/TTAP\\_ResourceList.asp](http://nijc.org/datasheets/ttap/TTAP_ResourceList.asp)



## **FUNDING**

### **CALIFORNIA**

**NOTE: many of the listed transportation programs are dependant on the extension of SAFETEA-LU or the passage of the Re-authorization Transit Bill.**

### **California Department of Transportation: Transportation Planning Funding Grants**

The Transportation Planning Grants are intended to promote strong and healthy communities, economic growth, and protection of our environment. These planning grants support closer placement of jobs and housing, efficient movement of goods, community involvement, in planning, safe and convenient pedestrian and bicycle mobility and access, smart or strategic land use, and commute alternatives. The final results of these grants should lead to the adoption, initiation, and programming of transportation improvements that improve mobility, access and economic vitality.

For more information on these grants go to: <http://www.dot.ca.gov/hq/tpp/grants.html>

### **California Department of Transportation: The State-Legislated Safe Routes to School Program**

California Safe Routes to School program is contained in the

# TRIBAL TRANSPORTATION FUNDING RESOURCES

Streets & Highway Code Section 2330-2334.

For more information on this program go to: <http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/sr2s.htm>

## **California Department of Transportation: Division of Mass Transportation Elderly and Disabled Specialized Transit Grant Program (FTA 5310)**

This capitol grants funding program serves the transportation needs for elderly persons and persons with disabilities; in areas where public mass transportation services are otherwise unavailable.

It allows the procurement of accessible vans and buses; communication equipment, mobility management activities, and computer hardware and software.

For more information on this grant go to: <http://www.dot.ca.gov/hq/MassTrans/5310.html>

## **California Regional Blueprint Planning Program Grants**

The Regional Blueprint Planning Program Grants is intended to better inform regional and local decision-making, through pro-active engagement of all segments of the population as well as critical stakeholders in the community, business interest, academia, builders, environmental advocates, and to foster consensus on a vision and preferred land use pattern. The regional blueprint planning grants will build capacity for regional collaboration and integrated planning that will in turn enable regions to plan to accommodate all their future growth. Eligible Applicants are Metropolitan Planning Organizations (MPOs) and rural Regional Transportation Planning Agencies (RTPAs); planning efforts should be performed jointly with Councils of Governments, Native American Tribal Governments, counties and cities.

For more information on this grant go to: <http://calblueprint.dot.ca.gov/>

## **California Department of Transportation: Division of Mass Transportation Rural Transit and Procurement Grant Program (FTA 5311)**

This federal grant program provides funding for public transit in non-urbanized areas with a population under 50,000 as designated by the Bureau of the Census. FTA apportions funds to governors of each State annually. The California State Department of Transportation (Department) Division of Mass Transportation (DMT) is the delegated grantee.

For more information on this grant go to: <http://www.dot.ca.gov/hq/MassTrans/5311.html>

## **California Department of Transportation: Division of Mass Transportation Job Access and Reverse Commute Program Grant (JARC-FTA 5316)**

The JARC Grant Programs purpose is to provide transit service to and from jobs and training. The purpose of this grant program is to develop transportation services designed to transport service welfare recipients and low income individuals to and from jobs and to develop transportation for

residents of urban centers and rural and suburban areas to suburban employment opportunities. Emphasis is placed on projects that use mass transportation services. JARC projects should improve access to employment and employment-related activities for lower-income workers. Tribes are eligible to apply for this grant. The maximum allowable for administrative costs is ten percent. Beginning in Fiscal Year (FY) 2007, all selected projects must be derived from a local developed, coordinated human-services transportation plan. The matching requirement for capitol projects is 80/20, and for operational projects is 50/50.

<http://www.dot.ca.gov/hq/MassTrans/5316.html>

## **California Department of Transportation: Division of Mass Transportation New Freedom Grant Program (FTA 5317)**

The New Freedom Grant Programs purpose is to provide transit service to and from jobs and training. New Freedom Grant projects should assist individuals with disabilities with transportation. The projects must be for new transportation services and public transportation alternatives beyond those required by American with Disabilities Act (ADA) to assist persons with disabilities. Tribes are eligible to apply for this grant. The maximum allowable for administrative costs is ten percent.

Beginning in Fiscal Year (FY) 2007, all selected projects must be derived from a local developed, coordinated human-services transportation plan. The matching requirement for capitol projects is 80/20, and for operational projects is 50/50. <http://www.dot.ca.gov/hq/MassTrans/5317.html>

## **California Department of Transportation (CALTRANS)**

The California Department of Transportation (Caltrans), in consultation with the Governor's Office of Small Business Advocate, have entered into a Memorandum of Understanding (MOU) with the U.S. Small Business Administration (SBA), to offer a technical assistance surety bond guarantee program to promote increased small business participation in Caltrans, State highway and transit projects.

This initiative provides a viable means to advance the unimpeded participation of all willing, ready, and able construction contractors and subcontractors, professional architectural and engineering firms, suppliers and truckers, without regard to race, ethnicity, gender, or physical disability to participate in the State's Contracting Program.

For more information contact a Small Business Development Center in your area, or call Linda Madden 919-324-8384; e-mail [Linda\\_Madden@dot.ca.gov](mailto:Linda_Madden@dot.ca.gov)

## **California DOT (Caltrans) Planning Grants**

Transportation Planning Grant funds are available for planning projects that improve mobility and lead to the planning, programming, and implementation of transportation improvement projects.

Friday, July 2, 2010 - - Target Awards Date

For more information go to:

<http://www.dot.ca.gov/hq/tpp/grants.html>

# TRIBAL TRANSPORTATION FUNDING RESOURCES

## FUNDING (Con't)

### **California Integrated Waste Management Board (CIMWB)**

Offers a variety of grant funding opportunities to assist public and private entities in safely and effectively managing California's waste stream. Additional grant information can be found at: [www.ciwmb.ca.gov/grants](http://www.ciwmb.ca.gov/grants)

## NEVADA

### **Nevada Department of Transportation: Safe Routes to School Program**

For more information regarding the Nevada Safe Routes to School, please visit: <http://www.walknevada.com/>

### **Nevada Department of Transportation: 2010-11 Landscape Aesthetics Community Match Program Procedures Manual**

The State Transportation Board approves the Landscape and Aesthetics Community Match Program to Help communities add landscape and aesthetic treatments to State Highway (retrofitting) and improve the appearance of Nevada's highways. The program provides for a variety of projects, such as landscaping, scenic beautification, transportation art, and community gateways. The program provides funding for fifty percent of a landscape and aesthetic project, up to a maximum, of \$500,000 from the applicant and \$500,000 from the program. The minimum application accepted for the program is \$100,000, of which \$50,000 comes from the program.

More information on the Landscape and Aesthetic Program may be found at [www.nevadadot.com](http://www.nevadadot.com) under Public Involvement, Landscape and Aesthetics Master Plan, Related Links, #1.

### **Nevada Department of Transportation Transportation Systems Projects Project Submittal Program**

A Transportation Improvement Project can increase roadway capacity (additional lanes); increase the safety of the roadway (right/left turn lanes, passing lanes, pull outs); enhance an intersection (signals, stop signs, lighting); upgrade the roadway (realignment, reconstruction, overlay, drainage); or any other project that improves the roadway. Projects such as welcome and gateway community signs are eligible projects. Repair and reconstruction of bridges are also included. Primary reasons for a project can be safety issues, congestion relief, bridge repair/replacement, new development (both residential and commercial) or maintenance of the roadway.

Applications can be for projects locate on or near federal/state highway or non-federal/state highway that has been given a functional clarification. Federal and State Agencies, Tribal governments, county, city and local governments, local public agencies or private non profits can apply.

**Dates:** Completed applications are due the first Monday in January (Tuesday if Monday is a holiday). Applications received after January will be held until the next Evaluation cycle in January the following year.

For information contact: Sandi Stanio, Program Development. (775) 888-7122, or e-mail:

[sstanio@dot.state.nv.us](mailto:sstanio@dot.state.nv.us)

To view the program go to:

[http://www.nevadadot.com/business/forms/pdfs/Plan\\_PROJECT\\_APP.pdf](http://www.nevadadot.com/business/forms/pdfs/Plan_PROJECT_APP.pdf)

## FEDERAL

### **Federal Safe Routes to School Program (SRTS)**

The Federal Safe Routes to School program (SRTS) was authorized by SAFETEA-LU (the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users).

This federal program has different eligibility and local match requirements than the state-legislated program. For more information on this program go to:

<http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/srts.htm>

## DEPARTMENT OF TRANSPORTATION

### FHWA

### **Surface Transportation Environment and Planning Cooperative Research Program**

The STEP is the primary source of funds for FHWA to conduct research and develop tools and technologies to advance the state of the practice regarding national surface transportation and environmental decision-making. In FY 2010, FHWA expects to seek partnerships that can leverage limited research funding in STEP with other stakeholders and partners in order to increase the total amount of resources available to meet the nation's surface transportation research needs.

In FY 2010, STEP is likely to address national research priorities that include:

- (1) Conducting research to develop climate change mitigation and adaptation strategies;
- (2) Improving state of the practice regarding livability and the impact of transportation on the environment;
- (3) Developing and/or supporting accurate models and tools for evaluating transportation measures and developing indicators of economic, social, and environmental performance of transportation systems;
- (4) Developing and deploying research to address congestion reduction efforts;
- (5) Developing transportation safety planning strategies for surface transportation systems and improvements;
- (6) Improving planning, operation, and management of surface transportation systems and rights of way;
- (7) Enhancing knowledge of strategies to improve transportation in rural areas and small communities;

# TRIBAL TRANSPORTATION FUNDING RESOURCES

- (8) Strengthening and advancing State/local and tribal capabilities regarding surface transportation and the environment;
- (9) Improving transportation decision-making and coordination across borders;
- (10) Conducting research to promote environmental streamlining/stewardship;
- (11) Disseminating research results and advances in state of the practice through peer exchanges, workshops, conferences, etc;
- (12) Meeting additional priorities as determined by the Secretary; and
- (13) Refining the scope and research emphases through active outreach and in consultation with stakeholders.

The number of stakeholders with an interest in environment and planning research is enormous and diverse, including these three tiers:

*Tier 1 - Federal Agencies and Tribes:* There are at least a score of Federal agencies with strong interest in transportation planning and environmental programs including: the Departments of Commerce, Defense, Homeland Security, Agriculture, Energy, Interior (DOI) and Housing and Urban Development, the Environmental Protection Agency (EPA), and the Centers for Disease Control and Prevention (CDC).

Within each of these agencies, there are many discrete organizations/programs with an interest - e.g., National Park Service, U.S. Fish and Wildlife Service and Bureau of Land Management within the DOI. Within the US Department of Transportation (USDOT), FHWA partners with the Federal Transit Administration (FTA) on virtually all planning and environmental work, including research. The FHWA also coordinates with the Federal Railroad, Aviation, Research and Innovative Technology, National Highway Traffic Safety and Maritime Administrations, and with the Office of the Secretary of Transportation on Global Climate Change as well as other issues. There are over 500 federally recognized Native American Tribes, which have a major interest in research affecting their planning and environmental needs.

For more information go to:

<http://www.fhwa.dot.gov/HEP/STEP/index.htm>

## U.S. Department of Agriculture

### USDA Rural Development Grants

The mission is to increase economic opportunity and improve the quality of life for rural residents. Rural Development fosters growth in homeownership, finances business development, and supports the creation of critical community and technology infrastructure. Further information on rural programs is available at a local USDA Rural Development web site:

<http://www.rurdev.usda.gov/rbs/busp/bprogs.htm>

## Green Jobs Training—Recovery.

**U.S. Department of Labor.** DOL anticipates \$500 million will be targeted at research, labor exchange, and job training projects that prepare workers for careers in energy efficiency and

renewable energy as defined in the Green Jobs Act.

For more information go to:

[http://www.doleta.gov/grants/find\\_grants.cfm](http://www.doleta.gov/grants/find_grants.cfm)

## U.S. Department of Transportation

### Grants for Transportation Investment Generating Economic Recovery (TIGER)

Funding availability for the \$1.5 billion TIGER Discretionary Grant program in the June 17th Federal Register. Under this program, funds will be awarded to State and local governments who submit applications for capital investments in surface transportation infrastructure, including highway or bridge projects, public transportation projects, passenger and freight rail, and port infrastructure investments. Applications for TIGER discretionary grants must be submitted by September 15, 2009, from state and local governments, including U.S. territories, tribal governments, transit agencies, port authorities, MPOs and others.

For more information go to:

<http://edocket.access.gpo.gov/2009/pdf/E9-11542.pdf>

## FEMA: Hazard Mitigation Grant Program

Hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects. This definition distinguishes actions that have a long-term impact from those that are more closely associated with immediate preparedness, response, and recovery activities. Hazard mitigation is the only phase of emergency management specifically dedicated to breaking the cycle of damage, reconstruction, and repeated damage. As such, States, Territories, Indian Tribal governments, and communities are encouraged to take advantage of funding provided by HMA programs in both the pre- and post-disaster timeframes.

Together, these programs provide significant opportunities to reduce or eliminate potential losses to State, Tribal, and local assets through hazard mitigation planning and project grant funding. Each HMA program was authorized by separate legislative action, and as such, each program differs slightly in scope and intent.

The Hazard Mitigation Grant Program (HMGP) may provide funds to States, Territories, Indian Tribal governments, local governments, and eligible private non-profits following a Presidential major disaster declaration. The Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA), Repetitive Flood Claims (RFC), and Severe Repetitive Loss Pilot (SRL) programs may provide funds annually to States, Territories, Indian Tribal governments, and local governments. While the statutory origins of the programs differ, all share the common goal of reducing the risk of loss of life and property due to natural hazards.

For more information go to:

<http://www.fema.gov/government/grant/hmgp/index.shtm>



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**NIJC SERVICES**

The National Indian Justice Center (NIJC) provides a range of services, including regional and local training sessions under contracts with tribes, court evaluation and court planning services, and other resource services.

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5250 Aero Drive, Santa Rosa, CA 95403

Ph: (707) 579-5507

E-mail: [tcoord@nijc.org](mailto:tcoord@nijc.org)

To view more information please visit:

<http://www.nijc.org/conferences.html>

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