

**NCSL STANDING COMMITTEE ON TRANSPORTATION
POLICY DIRECTIVES AND RESOLUTIONS**

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1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: AUTONOMOUS VEHICLES**

3 **TYPE: EXISTING RESOLUTION**

4 **WHEREAS**, the automobile is undergoing a technological evolution with the potential to
5 revolutionize personal mobility, transform commercial trucking and provide
6 immeasurable safety benefits. As vehicles that operate on public roads are subject to
7 state, federal and local jurisdiction, the need to clearly define state and federal roles is
8 paramount.

9 **WHEREAS**, NCSL agrees that the National Highway Traffic Safety Administration
10 (NHTSA) should be the sole entity setting federal motor vehicle safety standards
11 (FMVSS) for autonomous vehicles, equivalent to their current role for conventional
12 vehicles.

13 **WHEREAS**, NCSL strongly believes that states have clearly defined authorities when it
14 comes to vehicle use—which include vehicle registration; driver licensing and
15 education; traffic laws, regulations and enforcement; and insurance and liability.

16 **WHEREAS**, NCSL recognizes, appreciates and agrees that authority to issue
17 exemptions of FMVSS remains solely in the realm of the Secretary of Transportation.

18 **WHEREAS**, NCSL recognizes that states and the federal government have a vital
19 interest in increasing road safety for all road users and have a shared interest in
20 reducing traffic crashes and fatalities, particularly to vulnerable road users such as
21 pedestrians.

22 **WHEREAS**, Cybersecurity is a vital aspect of autonomous vehicles and as vehicles
23 begin to communicate with each other (vehicle-to-vehicle or V2V), as well as with
24 infrastructure (vehicle-to-infrastructure, V2I, and V2X), the potential risk of cyberattacks
25 and security breaches increases greatly.

26 **WHEREAS**, approximately 20% of Americans do not have a driver's license or access
27 to a vehicle and many Americans with disabilities could benefit from autonomous
28 vehicles with appropriate accessibility features to increase mobility options.

29 **NOW, THEREFORE, BE IT RESOLVED**, NCSL urges Congress and the administration
30 to remain in constant consultation with states when devising potential regulations of
31 autonomous vehicles and to consider the following positions when making policy
32 determinations:

- 33 1. NCSL is opposed to congressional or administration proposals that would seek to
34 preempt state authority by prohibiting states from prescribing certain standards or
35 regulations related to autonomous vehicle testing or operation, including
36 requirements related to the presence of a human operator that are more
37 restrictive than those required by the federal government.
- 38 2. NCSL strongly encourages the Secretary of Transportation, or any applicable
39 designated agency, to ensure that any exemption of existing motor vehicle safety
40 standards provides a safety level at least equal to the safety level of the existing
41 standard. As exemptions are granted, NCSL implores the department to provide
42 such information to states in a timely manner.
- 43 3. NCSL requests that state legislators be appointed to or included in any
44 congressional or administration task force, council or other advisory group
45 related to the development or regulation of autonomous vehicles. NCSL
46 encourages congressional and administration task forces to work with NCSL to
47 help ensure the appropriate states are included.
- 48 4. NCSL urges both the administration and Congress to share any physical or cyber
49 threat information with state governments and to work with states to ensure that
50 such threats and affected vehicle populations do not become endemic. A
51 collaborative effort is vital in ensuring such safety.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: BEYOND VISUAL LINE OF SIGHT OPERATIONS OF**
3 **UNMANNED AIRCRAFT SYSTEMS**

4 **TYPE: EXISTING RESOLUTION**

5 **WHEREAS**, Drones as First Responders (DFR) is a program whereby first responders'
6 drones are pre-positioned in a service area, ready to be launched immediately in
7 response to an emergency call for service; and

8 **WHEREAS**, once overhead, the drone live-streams the video to responding first
9 responders and communications centers; and

10 **WHEREAS**, DFR has proven to be an efficient and effective way of providing public
11 safety with critical information increasing situational awareness and providing de-
12 escalation strategies keeping both first responders and the community safe; and

13 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
14 Legislatures urges Congress to require the Federal Aviation Administration (FAA) to
15 establish a regulatory pathway for certification or approval of Beyond Visual Line of
16 Sight Operations (BVLOS) for Unmanned Aircraft Systems for first responders to
17 support DFR programs around the country.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: DISTRIBUTION OF FEDERAL SURFACE**
3 **TRANSPORTATION FUNDING TO STATES**

4 **TYPE: EXISTING RESOLUTION**

5 **WHEREAS**, states receive funding from the federal government for surface
6 transportation projects in myriad ways, including traditional formula-based funding and
7 directed discretionary programs that focus on certain outcomes or goals.

8 **WHEREAS**, formula-based funding allows federal monies to be distributed through a
9 predictable and stable process, thus allowing for better project and multi-year program
10 delivery by states wherein the most needed transportation problems and infrastructure
11 projects are identified and prioritized by states, metropolitan planning organizations and
12 local elected officials for funding.

13 **WHEREAS**, shifting a greater share of federal surface transportation funding to formula-
14 based distribution and away from more discretionary project-specific awards allows
15 states—which are more cognizant of the day-to-day needs of their residents and
16 infrastructure—to prioritize projects in an efficient and cost-effective manner.

17 **WHEREAS**, states recognize the need for discretionary, project-specific federal funding
18 in the case of interstate or large-scale projects, but too much focus on this type of
19 funding restricts the ability of states to properly direct funding where it is needed most.

20 **WHEREAS**, states need as few restrictions as prudent and possible on how surface
21 transportation formula funding can be spent within their borders to allow the quickest
22 and best possible project outcomes for the greatest amount of people.

23 **WHEREAS**, the time, staffing and expertise required to apply for and successfully
24 receive and disburse funds places considerable strain on state and local governments
25 and cause significant capacity and expertise issues.

26 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
27 Legislatures urges Congress to appropriate a greater amount of funds to formula-based
28 funding and away from more restrictive project-based awards in the next iteration of

29 surface transportation legislation—while maintaining necessary funding for larger bridge
30 and multi-state projects—so that states may have a greater amount of freedom and
31 flexibility to prioritize critical and beneficial projects.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: FUNDING THE HIGHWAY TRUST FUND**

3 **TYPE: EXISTING RESOLUTION**

4 **WHEREAS**, the Highway Trust Fund is a user-pay, user-benefit system that, since its
5 creation via the Federal Aid Highway Act of 1956, has helped fund the nation’s road
6 construction, mass transit and other surface transportation programs via federal gas
7 taxes.

8 **WHEREAS**, the federal gas tax was last raised in 1993 to a level of 18.4 cents per
9 gallon of gasoline and 24.4 cents per gallon of diesel.

10 **WHEREAS**, revenues from the federal gas tax stopped growing faster than federal
11 expenditures in 2001 due in large part to increased fuel efficiency levels and the
12 proliferation of hybrid and electric vehicles. Since 2008, Congress has provided more
13 than \$275 billion from the general fund to cover the annual shortfall in the Highway
14 Trust Fund according to the Congressional Budget Office.

15 **WHEREAS**, NCSL believes that a federal trust fund, financed by user fees, should be
16 retained as the primary method of federal-aid surface transportation program funding
17 and that such a fund must provide states a sustained, consistent and reliable source of
18 transportation funding.

19 **WHEREAS**, the U.S. Department of Transportation established the National Motor
20 Vehicle Per-Mile User Fee Pilot as required by Congress in the Infrastructure
21 Investment and Jobs Act and the Federal System Funding Alternatives Advisory Board,
22 which is tasked with leading the national pilot program, was created in December 2024.

23 **WHEREAS**, numerous additional funding sources, such as up-front fees and taxes on
24 electric vehicle purchases, mileage-based user fees, electric and hybrid vehicle
25 enhanced registration fees, electric vehicle charging fees and other user fees have
26 been studied, piloted and implemented by states and are being studied to determine
27 their viability.

28 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
29 Legislatures urges Congress, the Department of Transportation and all other applicable
30 agencies to continue their study of all available alternate funding sources while making
31 necessary general fund transfers to maintain the solvency of the Highway Trust Fund.

32 **LET IT BE IT FURTHER RESOLVED**, that Congress, the Department of Transportation
33 and all other applicable agencies should work closely with states to learn from state
34 success stories regarding additional or alternate funding sources and to ensure the
35 transportation funding needs of states continue to be met.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: PRESERVATION OF SUCCESSFUL**
3 **INFRASTRUCTURE INVESTMENT AND JOBS ACT**
4 **PROGRAMS**

5 **TYPE: EXISTING RESOLUTION**

6 **WHEREAS**, the Infrastructure Investment and Jobs Act contained approximately \$1.2
7 trillion in infrastructure spending, including \$550 billion in new spending, and included
8 provisions for federal highway aid, transit, highway safety, rail programs, and hazardous
9 materials transportation.

10 **WHEREAS**, many of these programs have funded significant investments in
11 infrastructure in all 50 states and the territories, including airport improvements, bridge
12 repairs, mass transit projects and highway improvements, benefiting residents and
13 visitors alike, and should be continued in future legislation.

14 **WHEREAS**, by contrast, some programs have been unsuccessful and should be
15 dropped from inclusion in future surface transportation legislation.

16 **WHEREAS**, states are the best and most efficient judges of what programs and
17 sections of the Infrastructure Investment and Jobs Act have and have not been
18 successful.

19 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
20 Legislatures urges Congress to closely consult with states and territories to identify
21 successful projects funded through the Infrastructure Investment and Jobs Act and
22 continue these programs in the next iteration of surface transportation reauthorization
23 legislation.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: REFORMING PERMIT PROCESSES AND RIGHT-**
3 **SIZING PROJECT REQUIREMENTS**

4 **TYPE: EXISTING RESOLUTION**

5 **WHEREAS**, according to a 2020 White House study, the average federal National
6 Environmental Policy Act (NEPA) permitting process takes between 3.5 and 6 years to
7 complete.

8 **WHEREAS**, the nation’s infrastructure received a C in the 2025 American Society of
9 Civil Engineers’ American Infrastructure Report Card, underscoring the continued need
10 for investment in America’s roads, bridges and more.

11 **WHEREAS**, that same report noted that “39% of major roads in the U.S. are in poor or
12 mediocre condition,” “51% of Americans report inadequate bus, subway, or commuter
13 bus service,” and almost 56% of the nation’s bridges are in “fair” or “poor” condition.

14 **WHEREAS**, multiple Congresses and presidential administrations, as well as state and
15 local governments and private sector partners have noted the need to reform the
16 permitting process for large-scale infrastructure projects.

17 **WHEREAS**, contrasting federal, state and local regulations and requirements, along
18 with unclear lines of communication between and among state and federal entities can
19 complicate and extend processes and timelines for applying for, permitting and
20 completing infrastructure projects.

21 **WHEREAS**, smaller, city, county and state transportation departments or offices can
22 often lack sufficient staffing, expertise, capacity or resources to handle the complex and
23 expensive project application and documentation requirements imposed by the federal
24 government for every project that received federal funds.

25 **NOW, THEREFORE, BE IT RESOLVED**, that NCSL urges Congress and the
26 administration to, in direct consultation with states, expedite the reform and streamlining
27 of the nation’s federal infrastructure permitting processes and work with states to ensure

28 project application and documentation costs and requirements do not exceed the
29 capacity and expertise of state or local offices being solicited.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: SECURING NATIONAL SUPPLY CHAINS THROUGH**
3 **THE COMBATING ORGANIZED RETAIL CRIME ACT**

4 **TYPE: EXISTING RESOLUTION**

5 **WHEREAS**, organized retail and supply chain crime has escalated in both scale and
6 sophistication, threatening the integrity of the national supply chain by targeting freight
7 systems, including rail, leading to costly delays and heightened safety concerns; and

8 **WHEREAS**, the *Combating Organized Retail Crime Act* (CORCA) is a bipartisan effort
9 in Congress seeking to strengthen the federal response to organized cargo theft
10 through improved coordination, data-sharing, and enforcement; and

11 **WHEREAS**, a healthy and resilient logistics network, powered by freight rail, is vital to
12 U.S. economic competitiveness, job growth, industrial productivity, and ensuring
13 affordable goods for consumers; and

14 **WHEREAS**, America's extensive freight system, anchored by 600 privately owned
15 railroads spanning nearly 140,000 miles, delivers 59 tons of goods for every American
16 annually, underscoring the importance of affordable and efficient transportation; and

17 **WHEREAS**, freight rail is a powerful economic engine, moving 40% of U.S. long-
18 distance freight and supporting a diverse workforce while generating activity in every
19 sector of the economy, from small farms to large-scale manufacturing facilities, and
20 contributing over \$230 billion annually to the U.S. economy; and

21 **WHEREAS**, trains are essential to international trade and cross-border goods
22 movement, with nearly 40% of rail traffic attributable to trade, without which supply
23 chains would be strained and the cost of goods would rise; and

24 **WHEREAS**, freight railroads fund their own infrastructure, spending \$23 billion annually
25 on average to maintain and upgrade tracks, equipment, and safety systems, and this
26 private investment provides public benefits like reduced traffic, emissions, and damage
27 to taxpayer-funded highways; and

28 **WHEREAS**, railroads are a major tax contributor, paying nearly \$16.7 billion in state and
29 federal taxes in 2023—supporting essential public services such as schools, emergency
30 services, and public infrastructure; and

31 **WHEREAS**, organized retail and supply chain crime incidents have surged nationwide,
32 with a 93% increase since 2019 and estimated losses reaching \$121.6 billion in 2023.
33 Intermodal rail containers—carrying high-value goods like electronics, toys, and
34 clothing—have become prime targets, with rail thefts rising 40% in 2024 alone, resulting
35 in over 65,000 incidents and \$100 million in losses; and

36 **WHEREAS**, this is not isolated or petty theft but a systemic, coordinated, effort by tech-
37 savvy, often transnational criminal networks targeting every link in the supply chain—
38 from rail yards and trucks to warehouses and retail centers; and

39 **WHEREAS**, the Combating Organized Retail Crime Act (CORCA) directly addresses
40 these challenges by improving cross-agency coordination, establishing a centralized
41 coordination center, expanding data-sharing, and strengthening legal authority across
42 jurisdictions; and

43 **WHEREAS**, that the legislation would create an Organized Retail and Supply Chain
44 Coordination Center to bring together federal law enforcement agencies with state and
45 local partners as well as railroad police to counter and dismantle domestic and
46 transnational organized theft operations; and

47 **WHEREAS**, that with strong bipartisan support and endorsement from law enforcement,
48 the retail industry, and freight carriers, CORCA will strengthen the resilience of our
49 state’s logistics and transportation systems and protect the economic lifelines of the
50 communities we represent; and

51 **NOW, THEREFORE, BE IT RESOLVED**, NCSL recognizes this bipartisan bill would
52 modernize the federal response to international organized cargo and retail theft – and
53 urges Congress to pass the Combating Organized Retail Crime Act (CORCA), H.R.
54 2853 and S.1404.

1 **COMMITTEE: TRANSPORTATION**
2 **POLICY: OUR NATION'S RAIL SYSTEM**
3 **TYPE: EXISTING DIRECTIVE WITH AMENDMENT**
4 **INTRODUCED BY COMMITTEE STAFF**

5 The National Conference of State Legislatures recognizes viable passenger and freight
6 railroad systems are essential to achieving a balanced intermodal transportation system
7 and ensuring personal mobility, the free flow of commerce and national security. Rail
8 must have the same financial security provided the other modes of transportation, such
9 as highways, transit, aviation and waterways. NCSL strongly supports a dedicated
10 source of federal funding for passenger rail service.

11 The increasing mix of freight, commuter and intercity passenger rail on shared tracks
12 and rights-of-way demands that concerns over liability and costs be rationally reviewed
13 within the context of federal legislation. Fair and equitable standards for assessing
14 costs, risks and priority usage are a necessary component of furthering the nation's rail
15 network for passengers and freight.

16 Passenger rail progress should be complementary to—not in conflict with—freight rail
17 development. Freight railroads should be fully compensated for the use of their property
18 by passenger trains.

19 States should retain the ability to enact laws that govern railroad issues. NCSL
20 encourages Congress to repeal provisions in federal law that exempt railroad
21 companies from certain local and state laws.

22 **Financing and Tax Issues**

23 NCSL supports efforts by Congress to provide investment tax credits for railroad
24 infrastructure investments that expand capacity for the movement of both passengers
25 and freight. Without private sector rail investment in infrastructure to accommodate
26 increasing demand for goods movement, freight increases will necessarily be diverted
27 to highways, further congesting and damaging America's already challenged highway
28 infrastructure. Anticipated future revenues will be inadequate to allow the railroads to

29 privately finance all capacity improvements required even to maintain their current
30 market share of freight traffic.

31 NCSL also urges the federal government to continue to support state flexibility in
32 financing rail service in states. NCSL favors a range of options including grants,
33 guaranteed loans, tax exempt bonds, public-private partnerships and targeted federal
34 investment. The present state volume cap on bond financing with exemption from
35 federal taxation imposes an artificial restraint on the use of such bonds for rail projects
36 and should be eliminated.

37 NCSL further urges the federal government to allow states flexibility to use a portion of
38 their allocation from the Highway Trust Fund to finance rail projects and service.

39 NCSL urges the federal government to continue the tax credit for short line and regional
40 railroads as an important incentive for upgrading and modernizing inadequate track and
41 bridge structures. This support is critical to aid states in maintaining essential branchline
42 services that otherwise would be eliminated.

43 NCSL also urges the federal government to fund railroad infrastructure modernization
44 grant programs such as “Capital Grants for Class II and Class III Railroads” program at
45 49 USC §22301 and the “Capital Grants for Rail Line Relocation” program at 49 USC
46 §20154.

47 Federal laws that preempt the role of state courts by giving federal courts jurisdiction to
48 establish the valuation of property for state and local tax purposes, or that give selected
49 classes of state and local taxpayers procedural and substantive privileges unavailable
50 to most taxpayers, offend principles both of federalism and equity.

51 NCSL urges the federal government to provide federal highway safety incentive grants
52 to states to advance innovative pilot programs. These programs would increase
53 enforcement of grade crossing traffic laws at both active and passive crossings.

54 **Passenger Rail and High-Speed Rail**

55 Successful evolution of an intercity passenger rail network throughout the United States,
56 including dedicated high-speed corridors, will require cooperation among all levels of

57 government. States will play a significant role in developing the high-speed and intercity
58 passenger rail system, including developing state rail plans, providing funding and
59 financing, conducting studies and analyses, securing rights-of-way, materials testing,
60 construction, acquisition, inspections and determining where the train system interfaces
61 with state transportation facilities.

62 NCSL urges the federal government to provide all possible assistance to increase the
63 states' capacity to meet their expanded role in rail planning and evaluation under the
64 provisions of the federal Passenger Rail Investment and Improvement Act of 2008.

65 NCSL especially urges the federal government to increase the availability of voluntary
66 planning and evaluation tools and to provide ongoing, permanent and dedicated funding
67 to assist states with the planning and development of high-speed and intercity
68 passenger rail. States require assistance in establishing cost estimates for building and
69 operating high-speed and intercity passenger rail systems; benchmarking to gauge
70 proposed projects and improvements; and developing and implementing key
71 performance measures.

72 State legislators should be included in developing any federal guidelines for state
73 models for rail governance and oversight. Any federal guidelines should continue to
74 provide the states maximum flexibility over rail issues.

- 75 • Amtrak – The continued economic viability of Amtrak and other passenger rail
76 providers is in the national interest. Federal funding should account for existing
77 revenue deficiencies for Amtrak and other passenger rail providers and provide
78 adequate funding for a capital improvement program.
- 79 • Intercity passenger rail – State and local support of intercity passenger rail
80 systems has been critical to alleviating congestion, mitigating environmental
81 concerns, and providing a feeder system to Amtrak. Federal support for these
82 efforts is imperative. The federal government should provide a funding source for
83 the states to implement cost-effective, efficient passenger rail as it does for other
84 modes of transportation—motor vehicle, transit, air and waterway.

- 85 • Commuter rail – Commuter rail facilities using track owned by private freight
86 companies have become an important part of the transportation system in urban
87 areas. Use of track by commuter rail on an appropriate priority basis should be
88 negotiated with the owner of the railroad track.
- 89 • High-Speed Rail – NCSL urges the federal government to support the states in
90 meeting their expanded role in high-speed and intercity passenger rail and to
91 facilitate interstate coordination as well as relationships among diverse
92 stakeholders. NCSL also urges the federal government to support and facilitate
93 the efficient integration of the high-speed rail network with local transportation
94 systems to ensure the success of both. NCSL further recognizes that railroads
95 over whose rights-of-way many high-speed rail authorities will operate have a
96 legitimate concern over increased exposure to liability as a result of high-speed
97 rail operations. This liability issue must be addressed by Congress in the context
98 of high-speed rail legislation. NCSL requests that state legislators be included in
99 ongoing cooperative agreements to explore solutions to this problem. The long-
100 term goal in certain corridors should be track that is dedicated to high-speed
101 service exclusively, in accordance with the U.S. Department of Transportation’s
102 definition of high-speed rail. The federal government should facilitate the steps to
103 reach that goal over time.
- 104 • Research and Development – The federal government should continue to
105 support research and development of advanced passenger rail technologies.
106 Federal research should provide best practices and strategic assistance to states
107 negotiating with freight-rail ownership of rights of way, in order to enhance on-
108 time performance, frequency, speed and safety of passenger and freight facilities
109 operating on the same track. Federal policy should encourage U.S. technology
110 development and production while incorporating all other technologies.
- 111 • Planning and Evaluation – The ongoing development by the Federal Railroad
112 Administration of the first National Rail Plan in the United States—in collaboration
113 with the states and consistent with state rail plans, under the provisions of the
114 federal Passenger Rail Investment and Improvement Act of 2008—is

115 encouraging. A comprehensive strategic plan establishing clear, long-range
116 national goals and defining stakeholders' roles is necessary to build and
117 strengthen an integrated, cohesive, and optimized interstate high-speed and
118 intercity passenger rail network. NCSL urges the federal government to continue
119 work on this key policy document, and requests that state legislators be included
120 in its development.

121 **Freight Rail**

122 The states and the federal government have an interest in supporting an efficiently
123 managed and well-maintained national freight railroad. It is a federal responsibility to
124 ensure a competitive environment for the transport of freight. NCSL recognizes the
125 interest of the states in preserving rail lines that are essential to local and regional
126 commerce.

- 127 • Regulation – NCSL generally supports efforts designed to improve the regulatory
128 climate of the freight rail industry by reducing the number of regulatory restraints
129 that adversely affect the industry's economic performance. The regulatory needs
130 of the railroad industry should be balanced with the captive shippers who have
131 no alternative means of transportation available. NCSL also supports efforts to
132 improve the regulatory climate of passenger rail.
- 133 • Other – The right of federal eminent domain should be granted only when there
134 is a compelling national need for an alternative means of freight transportation.

135 **Safety and Security**

136 NCSL supports a continued federal role in setting national performance and safety
137 goals. NCSL urges Congress to provide incentive funding to promote comprehensive
138 rail safety programs in the states.

- 139 • NCSL urges the federal government to fully fund increased security measures
140 needed in the passenger rail system, such as security checkpoints prior to
141 boarding, luggage inspection and improved security of rail tunnels, rail bridges,
142 rail switching areas and other areas identified by the Secretary of Homeland

143 Security as posing significant risks to public safety and security and the
144 movement of interstate commerce. This effort should take into account the
145 impact that any proposed security measure might have on providing rail service,
146 deploying chemical and biological weapon detection equipment, dealing with the
147 immediate and long-term economic impact of measures that may be required to
148 address those risks, and training employees in terrorism response activities.

149 • Trespassing – NCSL recognizes that the vast number of injuries and fatalities
150 associated with the railroad industry are due to trespassing incidents. The role of
151 the federal government in this arena is appropriately one of conducting research
152 and facilitating public awareness of the danger and the illegality of trespassing
153 under state law.

154 • Grade crossings – NCSL recognizes the inherent risks of highway-rail grade
155 crossings where motorists disregard even active warning devices and gates.
156 Federal funding through the Section 130 program should be continued and
157 increased to adequately compensate states and to provide states with incentives
158 for reaching federal standards for grade crossing warning devices. The National
159 Conference of State Legislatures encourages Congress to continue to create,
160 expand, and enhance state and local grade crossing protection funds which have
161 the effect of improving safety, mobility and economic development potential for
162 both the railroads and motoring public throughout the country. The Federal
163 Railroad Administration (FRA) is encouraged to finance a long-term national
164 grade crossing safety awareness campaign. Federal preemption has effectively
165 limited the role and responsibility of states over most aspects of rail
166 transportation. However, state law has been preserved in some areas related to
167 tort liability in accidents involving railroads; responsibility of motorists and
168 pedestrians in yielding to rail traffic; and overall decisions on grade warning
169 devices or closings. NCSL strongly opposes efforts by the federal government to
170 preempt traditional state authority in these areas, to replace state statutes
171 governing violations by motor vehicles and penalties for failing to yield to an

172 oncoming train, or to establish numeric standards for crossing closings to be
173 accomplished by states.

- 174 • Research – Additional grade crossing research should be conducted in such
175 areas as driver response to existing warning devices, improved crossing warning
176 devices, low-cost active warning devices, off-track train detection systems, train
177 conspicuity (reflectorization), locomotive conspicuity (lights), and audible warning
178 technology (whistles/horns).

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: CO-LOCATION OF INTERSTATE ELECTRIC**
3 **TRANSMISSION WITHIN HIGHWAY RIGHTS-OF-WAY**

4 **TYPE: NEW RESOLUTION (REP. STEVE ELKINS)**

5 **WHEREAS**, a modern, reliable, and resilient electric grid is essential to maintaining a
6 balanced and efficient national infrastructure and supporting economic growth, energy
7 affordability, and system reliability across all regions of the United States; and

8 **WHEREAS**, the development, expansion, and preservation of electric transmission
9 infrastructure are critical to meeting increasing energy demand and ensuring long-term
10 grid reliability; and

11 **WHEREAS**, energy and transportation systems are increasingly interconnected,
12 requiring coordinated planning across sectors to maximize infrastructure efficiency and
13 investment outcomes; and

14 **WHEREAS**, federal, state, and local governments share responsibility for planning,
15 siting, permitting, and deploying both transportation and energy infrastructure; and

16 **WHEREAS**, states must retain flexibility and authority to address infrastructure needs in
17 a manner consistent with regional priorities, economic conditions, and land use
18 considerations; and

19 **WHEREAS**, the use of existing highway rights-of-way as established linear
20 infrastructure corridors represents a practical and efficient approach to accelerating
21 transmission deployment and minimizing conflicts; and

22 **WHEREAS**, co-location of transmission infrastructure within highway rights-of-way can
23 reduce permitting complexity, minimize land acquisition needs, improve feasibility, lower
24 costs, and enhance public acceptance; and

25 **WHEREAS**, enhanced coordination among transportation and energy agencies can
26 streamline planning, reduce duplication, and improve infrastructure siting outcomes;

27 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
28 Legislatures (NCSL) supports policies that promote the co-location of electric
29 transmission infrastructure within existing interstate and state highway rights-of-way
30 where appropriate as a cost-effective, efficient, and environmentally responsible
31 approach to infrastructure development; and

32 **BE IT FURTHER RESOLVED**, that NCSL affirms the importance of preserving state
33 authority and flexibility in transmission siting, permitting, and infrastructure planning and
34 opposes federal preemption or one-size-fits-all mandates; and

35 **BE IT FURTHER RESOLVED**, that NCSL urges Congress and the administration to
36 actively engage state legislatures in the development and implementation of policies
37 affecting transmission and transportation infrastructure; and

38 **BE IT FURTHER RESOLVED**, that NCSL supports the following federal actions and
39 programmatic alignments to facilitate transmission co-location within highway rights-of-
40 way:

- 41 • **Expansion of Grant Programs:**
42 Expand and enhance funding through existing U.S. Department of Transportation
43 programs, including the Infrastructure for Rebuilding America (INFRA) Grant
44 Program, National Infrastructure Project Assistance (MEGA) Grants, and
45 Rebuilding American Infrastructure with Sustainability and Equity (RAISE)
46 Grants;
- 47 • **Formula and Block Grant Flexibility:**
48 Provide states greater flexibility under core Federal Highway Administration
49 programs, including the Surface Transportation Block Grant (STBG) Program,
50 National Highway Performance Program (NHPP), and, where applicable, the
51 Congestion Mitigation and Air Quality Improvement (CMAQ) Program;
- 52 • **IIJA Alignment:**
53 Clarify and expand eligibility within programs authorized under the Infrastructure
54 Investment and Jobs Act (IIJA), including the Promoting Resilient Operations for
55 Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program,

- 56 the Carbon Reduction Program, and, where applicable, the National Electric
57 Vehicle Infrastructure (NEVI) Formula Program;
- 58 • **Long-Term Funding Certainty:**
59 Provide multi-year authorizations and predictable funding mechanisms to enable
60 states to effectively plan, finance, and deploy integrated infrastructure projects;
 - 61 • **Cost-Sharing and Regional Projects:**
62 Expand federal cost-sharing mechanisms to support projects that deliver regional
63 and national reliability benefits, particularly interregional transmission projects;
 - 64 • **Innovative Financing Tools:**
65 Encourage the use of financing mechanisms such as the Transportation
66 Infrastructure Finance and Innovation Act (TIFIA) program, Railroad
67 Rehabilitation and Improvement Financing (RRIF), state infrastructure banks,
68 and public-private partnerships (P3s); and

69 **BE IT FURTHER RESOLVED**, that NCSL encourages increased coordination among
70 state departments of transportation, public utility commissions, state energy offices, and
71 federal agencies to improve infrastructure planning, streamline permitting, and reduce
72 administrative burdens.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: CREATION OF A NATIONAL INFRASTRUCTURE**
3 **BANK**

4 **TYPE: NEW RESOLUTION (ASM. JO ANNE SIMON, SEN.**
5 **ELIZABETH STEFANICS, SEN. LIZ LOVELETT, SEN.**
6 **ANGELA MCKNIGHT, SEN. JAMES ELDRIDGE, REP.**
7 **ERIN KOEGEL, REP. TERRI CORTVRIEND, REP. JOHN**
8 **EDWARDS, REP. BRIAN PATRICK KENNEDY, REP.**
9 **ARTHUR HANDY, SENATOR PAUL MARK, REP. JEFF**
10 **MCNEELY, REP. RYAN BOURRIAQUE, REP. STEVE**
11 **ELKINS, REP. DEBBIE LEKANOFF AND REP. STEVE**
12 **WOODWARD)**

13 **WHEREAS**, State and local governments own approximately 87% of U.S. public non-
14 defense infrastructure, including the vast majority of roads, bridges, water systems, and
15 schools, and they also bear over 90% of the costs to operate and maintain these
16 assets; and

17 **WHEREAS**, State governments own approximately 19-21% of public roads, especially
18 major arteries, including most Interstate Highways, state-numbered route, and primary,
19 high-traffic corridors; and

20 **WHEREAS**, the Infrastructure Investment and Jobs Act (IIJA) contained approximately
21 \$1.2 trillion in infrastructure spending, including \$550 billion in new spending, and
22 included provisions for federal highway aid, transit, highway safety, rail programs, and
23 hazardous materials transportation and is expiring in 2026; and

24 **WHEREAS**, the American Society of Civil Engineers (ASCE) 2025 Report Card found
25 that the funding gap to bring U.S. infrastructure to a state of good repair had 40% in the
26 last four years to nearly \$4 trillion, including the \$1.2 trillion from the IIJA; and

27 **WHEREAS**, a National Infrastructure Bank (NIB) could complement any reauthorization
28 of the IIJA and fill the funding gap identified by ASCE; and

29 **WHEREAS**, an NIB would work closely with state governments to bring U.S
30 infrastructure up to a state of good repair; and

31 **WHEREAS**, an NIB would require no new federal spending and no new federal taxes,
32 but instead would utilize the successful models developed by Alexander Hamilton,
33 Abraham Lincoln, and others; and

34 **WHEREAS**, such an NIB is projected to grow the economy by 5% per year, create 20
35 million new, high prevailing-wage jobs, increase tax revenue to state governments, and
36 address the affordability crisis; and

37 **WHEREAS**, an NIB will aim to keep public infrastructure in public hands and will not
38 finance privatization of public infrastructure; and

39 **WHEREAS**, over thirty state legislatures have introduced or passed resolutions in
40 support of a National Infrastructure Bank, and many national state legislative caucuses
41 have endorsed the creation of an NIB.

42 **NOW THEREFORE BE IT RESOLVED**, that the National Conference of State
43 Legislatures urges the Congress to collaborate with the states to create a National
44 Infrastructure Bank to address the urgent needs of public infrastructure financing.

1 **COMMITTEE: TRANSPORTATION**

2 **POLICY: WILDLIFE CROSSINGS**

3 **TYPE: NEW RESOLUTION (REP. RICK HANSEN AND SEN.**
4 **SCOTT DIBBLE)**

5 **WHEREAS**, each year there are estimated to be between one and two million collisions
6 involving vehicles and large animals in the United States causing a risk to public safety;

7 **WHEREAS**, wildlife-vehicle collisions cause significant economic costs, including
8 vehicle damage and increased insurance costs, medical costs, towing and law
9 enforcement services, and other economic impacts; and

10 **WHEREAS**, wildlife-vehicle collisions and transportation infrastructure cause wildlife
11 mortality and fragment habitat, disrupting movement across landscapes, reducing
12 genetic exchange, isolating populations, and diminishing wildlife's ability to respond to
13 changes in habitat, food availability, and climate, with particularly significant impacts on
14 long-lived, slow-reproducing, rare, and migratory species; and

15 **WHEREAS**, safe wildlife crossings reduce wildlife-vehicle collisions and allow wildlife to
16 move more safely across landscapes; and

17 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
18 Legislators urges the President of the United States and Member of Congress to act to
19 provide states with funding for wildlife crossings, and

20 **BE IT FURTHER RESOLVED**, that copies of this resolution be immediately transmitted
21 to the President of the United States, the President of the United States Senate, the
22 Speaker of the House of Representatives, and each member of Congress.