National Legislative Office

2018 Regional Meetings
Seattle, WA / Hollywood, FL

Bus Legislative Workshop
National Legislative Office

Who We Are:
- John Risch, National Legislative Director
- Greg Hynes, Alternate National Legislative Director
- Erick Siahaan, Government Relations Specialist
- Dean Mitchell, DFM Research

What We Do:
The National Legislative Office in Washington, DC serves as the union’s chief legislative, regulatory, and political office, keeps voting records on legislators and furnishes recommendations and reports to the SMART-TD International President and the membership.
United States House of Representatives

- **Republicans**: 235 / **Democrats**: 193 / **Vacancies**: 7
- Unprecedented number of resignations/retirements (*scandal, age, fatigue?*)
- *Party control* of U.S. House is predicted to *flip in favor* of the **Democrats**.
United States Senate

- **Democrats** are fighting to hold 26 seats.
- **Republicans** are expected to hold 9 seats
- **12 competitive races** will determine party control of the Senate next year
Top Issues in Congress

- Tax Cuts (31% → 25%)
- “Obamacare” Repeal – Individual Mandate
- Immigration Reform / Border Security
- Annual Spending Bills
- Supreme Court & Judicial Appointments
- Infrastructure
“And all of this — everything in here — is really tremendous things for businesses, for people, for the middle class, for workers. And I consider this very much a bill for the middle class and a bill for jobs. And jobs are produced through companies and corporations, and you see that happening. Corporations are literally going wild over this, I think even beyond my expectations, so far beyond my expectations.”

- President Donald Trump on signing the Tax Cuts and Jobs Act, December 22, 2017
U.S. Department of Transportation

Secretary Elaine Chao
▪ Wife of U.S. Senate Majority Leader Mitch McConnell
▪ Former Secretary of Labor under President George W. Bush

DOT’s Priorities
▪ Rescinding Obama-era Regulations
▪ Autonomous Vehicles
▪ “Performance-Based” Rulemaking
Federal Transit Administration

Acting Administrator K. Jane Williams

- Served at the Department of Energy and Department of Labor under President Reagan and the Department of Interior under President George H.W. Bush.
- Former Director of Washington Area Transit Office in Maryland DOT under Governor Larry Hogan

Role of Federal Transit Administration (FTA):

- Provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys and ferries.
Federal Landscape for Bus Transit
Matthew Colvin, Legislative Representative
TTD
About the Transportation Trades Department (TTD)

- Umbrella Organization within the AFL–CIO
- Represents 32 Unions
- Intercity Bus, Charter Bus, and School Bus; Transit; Rail; Aviation; Highway; Maritime and Longshore Workers
- Congress, Executive Branch, Independent Government Agencies
- Federal Policy
In 2015, Congress reauthorized the first long-term surface transportation bill in more than 10 years.

TTD and many of our member unions fought for the inclusion of Section 3022 (Improved Public Transportation Safety Measures).

This bipartisan measure requires the Secretary of Transportation to issue a notice of proposed rulemaking on protecting public transportation operators from the risk of assault.
Preventing Transit Driver Assault

- Union response?
- TTD, SMART–TD, and other union presidents sent a letter to the FTA asking them to begin rulemaking immediately.
- Unfortunately, no action from Obama or Trump.

While FTA has indicated that an NPRM is forthcoming, it is unlikely that the proposed rule under this administration will include prescriptive steps that ensure transit agencies are protecting transit operators from the ongoing threat of assaults.

April 7, 2016

The Honorable Anthony Foxx
Secretary
U.S. Department of Transportation
200 New Jersey Avenue, N.E.
Washington, DC 20590

Dear Secretary Foxx:

As labor organizations representing transit workers throughout the country, we urge the Department of Transportation (DOT) and your Federal Transit Administration (FTA) to issue a rule to protect bus drivers and other transit operators from the physical assaults that are plaguing the industry. As Congress, Section 3022 of the Fixing America’s Surface Transportation (FAST) Act, publié on Oct 31, 2015, “to authorize, for each Federal fiscal year, funds available for Federal-aid...” (<https://www.gpo.gov/fdsys/pkg/PLAW-114-hrgtext/pdf/PLAW-114-hrgtext.pdf>). To address the problem, the Congressionally directive, and DOT’s own engagement on this issue, this rule to regulate assaults should be finalized this calendar year.

For the last several years, an epidemic of workplace violence has fundamentally undermined the performance of public transportation throughout the nation. According to the FTA’s National Transit Database, which does not fully capture the true extent of incidents, approximately 11,000 assaults annually occur, these incidents not only pose serious physical and emotional problems for the workers, but impose significant safety of public transportation. When operators are assaulted, passengers can be put at risk, while assaults on drivers result in injuries and even fatalities, the service may be interrupted, other vehicles and pedestrians in danger.

At present, there is no uniform or national standard for preventing transit operator assaults. While states and some local transit agencies have eligibility criteria to address this problem — including through the collective bargaining process — these efforts are hindered by the nature of promotions and the small size of the industry. As such, we believe that the FTA should publish a rule that integrates national set of rules, as mandated by Congress, are urgently needed. We also reject the notion that basic safety measures like driver assaults should be left to the collective bargaining process, which inherently leave workers in a position of what to achieve who should be responsible to enforce.

Sincerely,

[Signatures of various union presidents]

[Signatures of FTA officials]
Preventing Transit Driver Assault

In June 2018, Congresswoman Grace Napolitano (D–CA) and John Katko (R–NY) introduced the bipartisan Bus Operator and Pedestrian Protection Act.

The bill would require transit agencies to develop Bus Operations Safety Risk Reduction Programs to improve safety.

The risk reduction programs aim to reduce the number of bus accidents due to blind spots, prevent assaults on bus drivers, and improve bus driver seating to reduce ergonomic injuries.
Preventing Transit Driver Assault

- Transit agencies will be required to implement the following safety improvements as a part of their Bus Operations Safety Risk Reduction program:
  - Driver assistance technology that reduces accidents
  - Modified bus specifications and retrofits to reduce visibility impairments
  - Assault mitigation infrastructure and technology, including barriers to prevent assault on bus drivers
  - De-escalation training for bus drivers
  - Installation of bus driver seating to reduce ergonomic injuries
The bill will also require transit agencies to report all assaults on bus drivers to the USDOT’s National Transit Database (NTD) and for that data to be reported annually.

Future of this legislation?
Automated Vehicles

- Legislation to encourage and facilitate the use of automated vehicles is moving rapidly (SELF DRIVE Act, AV START Act)
- Tech Companies Investing Billions in Automation
- Few Industries Immune – Vehicle Operators at Front of Line
- Our Response Will Test Us – From Fighting to Protect Jobs to Advocating on Safety & Security Issues
## Automated Vehicles

- 2.2 to 3.1 million driver-dependent jobs at risk

<table>
<thead>
<tr>
<th>Occupation</th>
<th># Total Jobs (BLS, May 2015)</th>
<th>Range of # Jobs Threatened</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus Drivers, Transit and Intercity</td>
<td>168,620</td>
<td>101,170 – 168,620</td>
</tr>
<tr>
<td>Light Truck or Delivery Services Drivers</td>
<td>826,510</td>
<td>165,300 – 495,910</td>
</tr>
<tr>
<td>Heavy and Tractor-Trailer Truck Drivers</td>
<td>1,678,280</td>
<td>1,342,620 – 1,678,280</td>
</tr>
<tr>
<td>Bus Drivers, School or Special Client</td>
<td>505,560</td>
<td>151,670 – 202,220</td>
</tr>
<tr>
<td>Taxi Drivers and Chauffeurs</td>
<td>180,960</td>
<td>108,580 – 180,960</td>
</tr>
<tr>
<td>Self-employed drivers</td>
<td>364,000</td>
<td>328,000 – 364,000</td>
</tr>
<tr>
<td>TOTAL JOBS</td>
<td>3,723,930</td>
<td>2,196,940 – 3,089,990</td>
</tr>
</tbody>
</table>
Automated Vehicles

Legislation: AV START Act and SELF DRIVE Act

- Generally speaking, both bills are intended to facilitate the introduction of automated vehicles onto our roads.
  - Clarifies federal preemption over state and municipal governments.
  - Directs USDOT to include automated vehicles in Federal Motor Vehicle Safety Standards.
  - Addresses cybersecurity concerns.

- Most importantly, TTD joined a number of unions to successfully fight for the exclusion of large commercial vehicles.
TTD Response:
- TTD has filed comments with FMCSA expressing strong concern about commercial AV integration
Transit Investment

- In 2018, President Trump released his proposal for investing in infrastructure.

  Money divided into four pots:
  - 1) Incentive-based grants
  - 2) Rural block grants
  - 3) Innovative projects
  - 4) Innovative financing

  Incentive-based grants would flip the funding formula. Require states or private partners to put up 80 percent of a project’s cost to receive 20 percent federal funding.

  States have been increasing their gas taxes and passing local bond initiatives for years, while federal funding has decreased.
Transit Investment

- $200 billion program largely paid for by eliminating funding for transit (Capital Investment Grant Program) and intercity passenger rail.

- Encourages the use of P3s
  - What is a P3?
    - Anything from Central Park and military housing to major transit lines and highway projects.
    - Administration wants private investors to design, build, finance, operate, and maintain public infrastructure under 30–50+ year contracts.
Transit Investment

- Concerns about P3s?
  - Davis–Bacon applicability
  - Unionized workforce (e.g., Purple Line, Maryland)
  - Concerns over significant profits (~15% returns) generated by public assets and public works.

- TTD Response:
  - Fought back against initiatives to encourage P3s in transit. Successfully limited a P3 pilot program in the FAST Act, and negotiated strong worker protection language.
Not all bad news:

- In 2018, Democrats and Republicans negotiated increased budget caps for FYs 2018 and 2019.

- The $1.3 trillion package represents a 20 percent increase over FY17 discretionary spending levels.

- FY 2018 omnibus fully funds $55.6 billion of previously authorized FY18 spending from the Highway Trust Fund for FAST Act highway and transit programs.

- It supplemented this with an unanticipated new $3.4 billion in general funds, split approximately 75 percent for highways and 25 percent for transit.

- **Transit grant funds increased.** The omnibus provided $2.6 billion in general funds for transit Capital Investment Grants, a 10% increase over FY17.

- Funding for Bus and Bus Facilities was increased by $400 million.
Transit Investment

- Path forward for FY19 funding?
- Will the House pass a last-minute infrastructure revenue bill?
- How will 2018 elections shape FAST Act reauthorization?
NYT article exposed that Koch brothers funded group Americans for Prosperity is bankrolling campaigns to kill proposals for light rail or new bus routes, in part because government-controlled transportation runs counter to their deregulatory “freedom agenda.”

In Little Rock, Americans for Prosperity made more than 39,000 calls and knocked on nearly 5,000 doors to fight a proposed sales-tax increase worth $18 million to fund a bus and trolley network.

In Utah, it handed out $50 gift cards at a grocery store, an amount it said represented what a proposed sales tax increase to fund transit would cost county residents per year.
Transit Under Attack

- Public transit, Americans for Prosperity says, goes against the liberties that Americans hold dear. “If someone has the freedom to go where they want, do what they want,” Ms. Venable said, “they’re not going to choose public transit.”

- Since 2015, Americans for Prosperity has coordinated door-to-door anti-transit canvassing campaigns for at least seven local or state-level ballots.
THE BARRY/BRILEY TRANSIT PLAN IS A $9 BILLION BOONDOGGLE THAT WILL GIVE NASHVILLE THE HIGHEST SALES TAX IN THE NATION AND IT WON'T FIX TRAFFIC.

WE NEED TO STOP THE TRAIN. VOTE "NO" ON MAY 1ST!
Questions?

Contact: Matthew Colvin / matthewc@ttd.org
Greg Hynes
PAC Contributions by Membership Level

- International Officers: 100%
- GCA Officers: 53%
- State Board Directors: 98%
- Local Officers: 39%
PAC Contributions: Bus vs. Rail Members

- Rail Members: 19%
- Bus Members: 24%
Matt Campbell
Running for Public Office

SMART-TD Members have what it takes to serve in public office:

▪ Political Experience
▪ Passion for helping others
▪ Leadership Skills
▪ Message that works with voters

Benefits of Running for Office:

▪ Credibility in community and with other elected officials
▪ Provides a platform of issues important to you and your fellow members
▪ Connects you with decision makers in your community
SMART-TD Candidates

**Mary Ann Borgeson** filing for her 7th term as a Douglas County Nebraska County Commissioner. First woman to chair Nebraska’s largest county and youngest person to chair the Douglas County Board of Commissioners.

**Patrick Folsom** (Local 1263) at Debate for County Commission election. (Won election over 2 opponents with 54% of the vote)

**Lisa Ring** – Candidate for Congress and wife of Local 1031 member John Ring (Won the Democratic Primary with over 60% of the vote)

**Mary Ann Borgeson** filing for her 7th term as a Douglas County Nebraska County Commissioner. First woman to chair Nebraska’s largest county and youngest person to chair the Douglas County Board of Commissioners.
How We Can Help

SMART-TD can offer resources and provide your campaign with:

- Messaging Tools
- Voter Lists
- PAC Contributions

Lane Winters, Legislative Representative for SMART-TD local 586 won his Democratic primary election with 3,415 votes.
Giving to PAC
Erick Siahaan
Dear Gary,

Tomorrow, Tuesday June 12th, is Primary Election Day in five states: Maine, Nevada, North Dakota, South Carolina, and Virginia.

If you have not already voted by early/absentee ballot, SMART Transportation Division’s National Legislative Office encourages you to make your voice heard by casting an Election Day ballot in your state’s primary.

For additional election information, click here to visit the Legislative Acton Center.

In solidarity,

John Finch
National Legislative Director
SMART Transportation Division
Dean Mitchell
Three Focuses

Elections, Quick Look at 2016 & Building for 2018

Joint SM and TD Efforts

Labor Action Network (LAN)
2016 Membership Vote Turnout

71% of all members (active and retired) voted in the 2016 presidential election.

60% of the general public voted in the 2016 election!
2016 Election Recap

MEMBERS IN KEY STATES

![Pie chart showing MEMBERS IN KEY STATES with 42% for Clinton and 48% for Trump.]

Crosstab Results
(Clinton / Trump)

**Union Activity**
- Officer: 50 – 50%
- Some: 45 – 47
- Never: 49 – 40

**Age**
- 18 – 34: 25 – 50
- 35 – 49: 34 – 58
- 50+ Active: 51 – 41
- Retired: 60 – 34

**LAN Score**
- 90 plus: 90 – 0
- 90 – 70: 78 – 17
- 70 – 40: 39 – 49
- Lower 40: 16 – 72
The Democrats have 37 Hold and Safe seats. To get to 51, they need to win 14 of the competitive/watch races (non dark-blue states).

There are 15 states listed as Watch D or competitive. Democrats need to win 14. Tall order, but possible!
### U.S. House Competitive Races

#### PATH TO DEM MAJORITY

- **180 Safe D seats**
- **12 Likely D seats**
  - equals 192 D
- **9 Lean D seats**
  - equals **201 D seats**

**Need 17 more Seats**

- **24 seats rated Toss-Up**
- **25 seats rated Lean R**
- **29 seats rated Likely R**

- Dems need to win 17 of 49 competitive R seats (35%)
The key to the 2020s rest on the 2018 Governor elections. Period.
And states touching the Great Lakes; is where the 2020s will be decided.

Shifting demographics favor the Democrats, even with a GOP gerrymander.
Right Direction / Wrong Track Nation

- Right Direction: 68%
- Wrong Track: 20%
- Unsure: 12%
Donald Trump

Favorable Rating

- Very Favorable: 7%
- Somewhat Favorable: 14%
- Neutral: 7%
- Somewhat Unfavorable: 11%
- Very Unfavorable: 61%

Job Approval

- Strongly Approve: 0%
- Somewhat Approve: 16%
- Neutral: 9%
- Somewhat Disapprove: 16%
- Strongly Disapprove: 59%
LAN Database (Labor Action Network)

https://www.laboractionnetwork.com
Questions?