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HEARING ON THE ROAD AHEAD: PROPOSALS TO IMPROVE AMERICA'S TRANSPORTATION INFRASTRUCTURE

Wednesday, July 23, 2025

United States Senate
Committee on Environment and Public Works
Subcommittee on Transportation and Infrastructure
Washington, D.C.

The subcommittee met, pursuant to notice, at 3:02 p.m. in room 562, Dirksen Senate Office Building, the Honorable Kevin Cramer [chairman of the subcommittee] presiding.

Present: Senators Cramer, Alsobrooks, Capito, Lummis, Ricketts, Markey.

STATEMENT OF THE HONORABLE KEVIN CRAMER, A UNITED STATES SENATOR FROM THE STATE OF NORTH DAKOTA

Senator Cramer. The subcommittee will come to order. Welcome, everybody. This is a good hearing and a good day to discuss the road ahead for us.

We are going to discuss proposals to improve America's transportation infrastructure It is an important conversation. At the EPW committee we have already begun to work to craft surface transportation reauthorization legislation for next year. Senator Alsbrooks and I were just visiting about the fact that the last one passed out of the full committee unanimously.

So beginning work early, working together, having good witnesses helps us get to a similar goal next year.

I commend Chairman Capito for her leadership in getting the reauthorization process started early and look forward to working with her, Ranking Member Whitehouse, Ranking Member Alsobrooks, and of course, my fellow committee members, to get a comprehensive bipartisan bill across the finish line next year.

I also want to thank our witnesses for being here today. We appreciate your time and the insight that you bring to this conversation.

As we look toward reauthorization, I am focused on advancing practical, bipartisan policies to improve the efficiency and the effectiveness of the Federal Aid Highway

Program. Just last week, as I said, the full committee held an excellent hearing with State and local leaders, including Governor Kelly Armstrong, where we talked about lessons learned in the past bills, and what improvements we can make.

Some programs, like the Bridge Formula program, are a high priority for all States. Governor Armstrong spoke in strong support of it, and it is no surprise that his department of transportation is echoing the same strong support in your testimony today.

But there are areas where we can improve. In recent months, I have introduced three bills which I believe are all central to this effort. Each reflects direct input from States and is about getting better outcomes without increasing the cost to the taxpayers.

From the start, however, I need to emphasize the importance of preserving and strengthening formula funding. As I like to say, without well-maintained roads like Interstate 94, which is made possible because of formula funding, durum wheat from North Dakota would never become pasta in New York or Los Angeles. And wouldn't that be too bad?

North Dakota is a low population State but the number one producer of many agricultural commodities. Our roads can't be relegated to gravel and expected interstate commerce to thrive. So the formula system works, and this committee has demonstrated

a strong commitment to it over the years.

In terms of reforms, I think we need to take a serious look at reducing the regulatory burden on States and cutting red tape within the highway program. My bill with Senator Kelly, the Transportation Asset Management Simplification Act, does just that. It is a small fix, but it supports a much bigger goal of cutting through the bureaucracy so that every dollar goes further.

Another key principle is providing more flexibility for States to make investment decisions that better reflect local needs. Greater flexibilities for States is precisely the goal of the Highway Funding Transferability Improvement Act which I was happy to partner with Ranking Member Alsobrooks on. It is a great idea, and I am glad we are working on it.

Her forward-thinking approach on this issue is refreshing. The concept of our legislation is remarkably simple, a lot of good things are, but very important. States know their needs better than any bureaucrat in Washington. North Dakota and Maryland's constituents have very different transportation needs.

It turns out, when Washington gets out of the way, States know exactly what to do and deliver real results. Both Ranking Member Alsobrooks and I served in State and local government. I think both of us would agree: the best partnerships with the

Federal Government were those where we could be the most nimble to meet the constituents' needs.

I always tell Federal witnesses and nominees, please do not impose Federal mediocrity on our State's excellence. This bill embodies that basic principle, and I look forward to hearing from both our State witnesses on this point.

Safety, however, must also be at the forefront of everything we do. Specifically, making it safer and easier for kids to walk and bike to school. I introduced the Safe Routes to School Improvement Act with Senator Markey to do just that. It builds on bipartisan work that we did with Senator Cortez Masto in the last highway bill that expanded the Safe Routes to School program to include high schools.

This bill would enhance access to the program for communities in North Dakota and nationwide by requiring States to have a specific point of contact to help local communities navigate the program and understand what exactly they are eligible to apply for. This will improve infrastructure like sidewalks and street crossings so that children who walk or bike to school are safer in that process.

Lastly, this committee must do more to accelerate project delivery. There is a lot to be said on this, but I just note that the One Federal Decision framework was a strong concept under the last bipartisan infrastructure bill. But it hasn't

delivered the results we had hoped for. So as part of reauthorization, at a minimum, we need to revisit the OFD and make real improvements.

I look forward to working with my colleagues to get this bill done, and to ensure the highway program is more responsive to the needs of our constituents.

With that, I turn the microphone over to my friend, my colleague, the Ranking Member, Senator Alsobrooks, for her maiden leadership speech. Too much?

Senator Alsobrooks. No, perfect.

[Laughter.]

[The prepared statement of Senator Cramer follows:]

STATEMENT OF THE HONORABLE ANGELA ALSOBROOKS, A UNITED STATES SENATOR FROM THE STATE OF MARYLAND

Senator Alsobrooks. Thank you so much. No pressure.

Good afternoon, everyone, and welcome to today's hearing on the Senate Environment and Public Works Subcommittee on Transportation and Infrastructure. Chair Cramer, I want to start by thanking you so much for your partnership in leading this subcommittee and in holding this hearing.

North Dakota and Maryland are very different States, both with unique needs. Yet we have been able to work together to identify shared priorities and I am most grateful for that.

I also want to thank Chair Capito and Ranking Member Whitehouse for their continued leadership as we both look to build out the next Surface Transportation Reauthorization Bill.

I would like to also acknowledge today the presence of the family of Sarah Debbink Langenkamp. Her widow is here, Dan Langenkamp, and her father, Dirk Debbink. I had an opportunity to speak to both of them and to talk, and they are here with us today.

Sarah was tragically killed in August of 2022 while riding her bike along River Road in Bethesda. Her family has worked diligently to turn this tragedy into action and has been advocating to make roads safer for cyclists since her death. I want to thank you both for the work that you are doing, and

thank you as well, so much, for joining us today.

Regular reauthorization is crucial to supporting our highways, bridges, public transit, and rail. However, transportation policy is as much about fixing our roads as it is about safety, equity, sustainability and economic opportunities.

Lastly, I would like to thank our witnesses. Thank you so much for joining us today. I especially want to thank Samatha Biddle, from the Maryland Department of Transportation, for being here today.

Maryland is at the forefront of transportation innovation, actively leveraging Federal investments to upgrade critical infrastructure like the Chesapeake Bay Bridge, and expand commuter rail services. The State's commitment to safer roads and cleaner transit shows how targeted policies can drive real progress in modernizing transportation systems.

The condition of our infrastructure directly affects the safety, mobility, and quality of life of all Marylanders. During this discussion, we hope to shed some light on how we can empower States to deliver safer, more efficient and effective and modern transportation infrastructure.

As we get ready for the next surface transportation reauthorization, it is also important to reflect on the progress underway, thanks to the Bipartisan Infrastructure Law. In Maryland, as is the case across the Country, BIL investments

have been transformative. The State has received approximately $4.6 billion in highway and bridge funding, and is set to receive nearly $30 million for highway safety initiatives.

Additionally, Maryland secured $63 million to expand EV charging networks, laying the groundwork for a cleaner, more modern transportation system.

Despite this progress, there is so much work left to be done. Structurally deficient bridges are a real concern and nearly half of our major local and State maintained roads are considered to be in either poor or mediocre condition. These poor road conditions cost Maryland $12 billion annually and lead to traffic congestion, which increases commuter time and delays the movement of goods, hurting the supply chain.

Transit systems face funding gaps, even as demand grows. This is why the bills being discussed today are so important. Enhancing the Safe Routes program will protect pedestrians and cyclists and foster more walkable communities. Expanding the flexibility to transfer Federal highway funds between programs will allow Maryland and other States to better align resources with their most urgent transportation needs, whether it is building resilient infrastructure, modernizing transit facilities, or addressing safety.

This is why I was proud to join Senator Cramer in introducing the Highway Funding Transferability Improvement Act.

This bill increases the allowable transfer of Federal highway funds between eligible programs from 50 percent to 75 percent. By increasing flexibility, this bill provides State DOTs with greater flexibility to make investment decisions that reflect their unique needs and evolving priorities.

Enhanced flexibility also enables States to repurpose dollars that might otherwise go unspent, reducing the volume of unobligated funds and empowering States to tailor transportation investments at the local level. How we invest in and manage our infrastructure directly impacts economic growth and safety.

We all rely on safe roads, efficient transit and resilient bridges to get to work, access health care, and support local businesses. If we fail to modernize our systems or respond to State-specific needs, that is a lost opportunity in so many ways.

So I look forward to discussing these bills and more with our three witnesses today. Thank you.

[The prepared statement of Senator Alsbrooks follows:]

Senator Cramer. Excellent. Thank you so much.

We are honored to have three outstanding witnesses and grateful for this irrevocable gift of your time this afternoon.

I will start out by introducing Chad Orn. It is my honor to introduce Chad. He is the Deputy Director for Planning at the North Dakota Department of Transportation. Thank you for being here and for all the work that you do on behalf of the people of our State.

Chad has served at the DOT for over two decades. He holds key leadership roles across multiple divisions, including design, programming and environmental services. He is a registered professional engineer and holds a civil engineering degree from North Dakota State University. He also served 12 years in the North Dakota Army National Guard as a heavy equipment operator. Thank you for that service.

Chad knows first-hand how critical transportation infrastructure is to everyday life in North Dakota. He literally works every day to ensure our roads and bridges meet the needs of communities across the State. I couldn't ask for a better voice to bring a boots-on-the-ground perspective to this hearing.

You, Chad, have been an outstanding resource to me and to my staff. I am grateful to have you here today to share your insight with the members of the committee. For those of you who

need interpretation services to understand this North Dakota accent, I am here to help.

[Laughter.]

Senator Cramer. Thanks again for being here, Mr. Orn. The microphone is yours.

STATEMENT OF CHAD M. ORN, P.E., DEPUTY DIRECTOR OF PLANNING, NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Mr. Orn. Thank you for your kind remarks, Chairman Cramer.

Chairman Cramer, Ranking Member Alsobrooks, and members of the subcommittee, I am Chad Orn. I am the Deputy Director of Planning for the North Dakota Department of Transportation. Thanks for the opportunity to present to you today.

To improve the Federal highway program, we recommend various ways of making it more flexible. First, we strongly support S. 1733, by you, Chairman Cramer, and Senator Alsobrooks, to increase from 50 percent to 75 percent a State's ability to transfer funds between highway program elements. Transportation issues in North Dakota and Maryland differ. Enhanced transferability helps each State address transportation challenges.

We also support S. 1167, the Transportation Asset Management Reform bill by Senators Cramer and Kelly. This bill would have States continue quality asset management work, but without annual interruption to present detailed asset data to Federal Highway. This would save North Dakota and other States numerous hours of work without decreasing the end benefits to their citizens.

Next, we support the Safe Routes Improvement Act, S. 1828, by Senators Cramer and Markey, which seeks to improve the safety

of young people traveling to and from school. We understand that the bill allows a State to add the responsibility of a safe routes to school coordinator to another official in the State DOT. That flexibility is important, as State DOTs evolve their approaches to improve safety in working with local governments.

Next, Congress should distribute a greater percentage of highway program dollars to States by formula. The record is clear that highway formula dollars are invested in projects more promptly than are discretionary dollars, expediting the public benefit.

Similarly, we strongly recommend that Congress continue a formula bridge program in the reauthorization bill, preferably as contract authority and as part of Title 23.

Finalizing a Federal discretionary grant to a State takes way too long. Last week, North Dakota Governor Armstrong explained to the full committee that there is one North Dakota project that has been over two years since the project was selected by the U.S. DOT. However, I am happy to report that I did sign the grant agreement yesterday. I am now hoping for a quick agency execution on that grant agreement, good news. Legislation should require a simplified and faster approach to finalizing these grant agreements.

Further, Congress should eliminate, shrink or reform slow-obligating programs and redirect those funds to effective

formula programs. Notably, we support robust highway program funding. This is well justified by needs as a response to inflation and because a program is beneficial.

Highway investments provide benefits in every State, including safety benefits. In our rural State, highways serve the Nation's agriculture, energy production industries, and national landmarks, including Theodore Roosevelt National Park and the soon-to-be-opened Theodore Roosevelt presidential library. Long distance movements across States like North Dakota benefit people and commerce in other States at both ends of the movement.

We support expediting environmental review. This is important to States with a short construction season, as North Dakota has. A one-month delay in our State can become a delay of a year if it means a project can't be started until the next year.

We support the SPEED Act, S. 1894, by Senator Lummis and co-sponsored by you, Chairman Cramer, Senator Kelly and Senator Barrasso. This bill adjusts for inflation a current law provision that provides a categorical exclusion under NEPA for projects of limited financial assistance.

We also support more opportunities for an environmental review role for States, including States unwilling to waive their sovereign immunity.

In addition, Congress should establish an efficient Buy America waiver process. A State or local government must be able to file a waiver request that will be promptly published for comment, and after a comment period, promptly followed by a Federal highway decision.

This is a real concern for North Dakota. North Dakota DOT sent its first of five Buy America waiver requests to use submersible pumps to FHWA in 2023. To date, there has been no decision on our waiver request.

In closing, we have presented today various ways to make the highway program more flexible and effective. We submit that all States and their people and businesses will benefit if reauthorization legislation includes these reforms.

That concludes my statement. I will be pleased to respond to questions.

[The prepared statement of Mr. Orn follows:]

Senator Cramer. Excellent. Thank you very much.

Our next witness is Marisa Jones, the Managing Director of the Safe Routes Partnership. The Safe Routes Partnership is a non-profit focused on making it safer and easier for children to walk and bike to school, and in daily life.

It says kids here; I am going to call them children, because Coach John Wooden chewed me out so badly one time for referring to young people as kids, because he said, they are baby goats.

[Laughter.]

Senator Cramer. And you would know that, in Wyoming, I am sure. Forgive my diversion.

Marisa leads the organization's national policy and advocacy work, which includes the Safe Routes to School and Safe Routes to Parks programs. She works closely with Congress, Federal agencies and local partners to enhance access to schools, parks, and everyday destinations for communities across the Country.

They were very helpful in passing bipartisan legislation from last year that I talked about with Senator Cortez Masto, during the last highway reauthorization bill. The Safe Routes to All Schools Act, which opened up the Safe Routes to School program to high schools, rather than just elementary and middle school facilities.

I appreciate their support as we work to make the program even more accessible.

Marisa holds a bachelor of arts in community health and political science from Tufts University, and a master's in social policy from the University of Pennsylvania. I am glad she could be here today to share how her perspective on ways we can improve safety for youth across the Country can be addressed by this committee.

We thank you, and you are free to give your opening statement.

STATEMENT OF MARISA JONES, MANAGING DIRECTOR, SAFE ROUTES PARTNERSHIP

Ms. Jones. Thank you so much, Chair Cramer, Ranking Member Alsobrooks, and members of the committee.

My name is Marisa Jones, and I am the Managing Director of the Safe Routes Partnership, the non-profit organization leading the Safe Routes to School movement. We represent over 800 partner organizations, 425 local Safe Routes to School programs, and champions in every State.

Thank you for the opportunity to speak today about the urgent need for Safe Routes to School, its proven success, and the critical role State level Safe Routes to School coordinators play in making these programs work, especially in small and rural communities.

I will start with the problem. Traffic crashes are the second leading cause of death for children in the U.S., and more than 20 percent of these fatalities involve children walking or biking. Millions of children rely on walking and biking to school each day, especially as school bus driver shortages continue.

Even among people with other options, children want to walk and parents want to let them. But they are held back by unsafe conditions.

This is a persistent but not intractable problem. Safe

Routes to School is a proven solution that has already been successful in every State in the Nation. Safe Routes to School helps communities build crosswalks, sidewalks and calm traffic near schools, tailored to each community's local context. And it teaches traffic safety skills and organizes events like Walk to School Day.

Here is how we know Safe Routes to School works. Since Congress created the program 20 years ago, a study of 18 Staes showed a 13 percent decline in fatalities in areas with Safe Routes to School projects. And nationwide, child pedestrian fatalities dropped 34 percent after the Federal program's launch.

The program is also cost effective. For every dollar invested, Safe Routes to School returns $4.40 in safety and health benefits. And Safe Routes to School programs cost just between $13 and $35 per student per year, compared to nearly $700 per year to bus a child to school.

Since its creation in 2005, Safe Routes to School has enjoyed bipartisan support in Congress, and has proven successful in urban, suburban, and rural communities.

Let me be clear: Safe Routes to School is not just a big city program. Rural communities participate at rates that reflect their share of the population.

Let's look at North Dakota to see examples of how Safe

Routes to School works in small towns and rural States. Gwinner, with a population of 924, built sidewalks to connect the Southside neighborhood to the school. Even Medora, with just 155 residents, completed a Safe Routes to School project, connecting the high school to Main Street. And Minot, which I concede is a big city for North Dakota, but it has been working on Safe Routes to School for 15 years, guided by a district-wide plan and building sidewalk connections to schools annually, funded through the Transportation Alternatives Program.

These local priorities support statewide safety goals. North Dakota's strategic highway safety plan recommends Safe Routes to School to address the over-representation of young drivers in crashes. Its Vision Zero school program trains student leaders as traffic safety ambassadors, and the State's Vulnerable Road User Safety Assessment prioritizes children and school zones for investment.

Despite these successes, Safe Routes to School is only active in a fraction of the communities that could benefit from it. When Safe Routes to School was a standalone Federal program, every State was required to have a State coordinator, so they all have experience with the program and with this role.

Since 2012, half of States no longer have coordinators, and the difference is clear. States with coordinators are consistently better at helping communities, especially small and

rural communities, secure Federal dollars for on-the-ground safety improvement, align local and State priorities, and ensure timely project delivery.

Massachusetts is an example of what is possible with a dedicated statewide coordinator, which it has had since 2005. Last year alone, it served more than 590,000 students including a focus on rural schools, and it now leads the Nation in high school programming, thanks to Senator Cramer's 2021 legislation expanding program eligibility.

To realize the full safety and transportation benefits of this program, I urge the committee to include the Safe Routes Improvement Act, Senate Bill 1828, in the upcoming surface transportation reauthorization. This bipartisan bill, sponsored by Senators Cramer and Markey, reinstates the requirement for each State to have a Safe Routes to School coordinator. It does not require new funding. States can us existing TAP or Highway Safety Improvement program funds.

Senate Bill 1828 builds on a 20-year track record of success and helps Federal transportation dollars reach the communities they are meant to serve, large and small, rural and urban. In the face of tragic roadway fatalities, especially among kids, we need a proven solution. Safe Routes to School works to save lives and a statewide coordinator is what makes it work well.

Thank you for the opportunity to be here today. I look forward to working with you to advance this lifesaving legislation.

[The prepared statement of Ms. Jones follows:]

Senator Cramer. Thank you for your statement.

I now recognize Ranking Member Alsobrooks to introduce her Deputy Secretary.

Senator Alsobrooks. Thank you.

It is my pleasure to introduce Samantha Biddle, the Deputy Secretary of Transportation for the State of Maryland. Ms. Biddle has over 17 years of dedicated service in the transportation industry in both the public and private sector. Her extensive experience includes eight years in the private sector as a transportation planner, before joining the State Highway Administration for six years in various planning, strategic and leadership roles.

Prior to being named Deputy Secretary, Ms. Biddle spent three year in executive positions within the Secretary's office. She is a graduate of the University of Delaware, and is an American Institute certified planner.

I am excited to have her here with us today to testify on behalf of Maryland, and to engage in this productive conversation.

Ms. Biddle, thank you so much for being here.

STATEMENT OF SAMANTHA BIDDLE, DEPUTY SECRETARY, MARYLAND DEPARTMENT OF TRANSPORTATION

Ms. Biddle. Chairman Cramer, Ranking Member Alsobrooks and distinguished members of the subcommittee, thank you for the opportunity to be before you today.

My name is Samantha Biddle, and I am honored to serve as Deputy Secretary of the Maryland Department of Transportation.

Maryland is unique among State DOTs in that it is an integrated, multi-modal agency comprising five modal administrations: aviation, port, motor vehicles, State highway and transit, and supporting authorities such as the Maryland Transportation Authority and WMATA. This structure empowers us to deliver comprehensive, coordinated transportation solutions that connect every corner of our State, fostering economic vitality and quality of life.

As Congress undertakes deliberations on the next surface transportation authorization, we urge that the principles of predictability, flexibility, equity, safety, and sustainability remain at the forefront. These are not abstract ideals, they are foundational to our stewardship and the daily realities of our diverse communities.

Let me begin with S. 1733, the Highway Funding Transferability Improvement Act. We appreciate the bipartisan leadership of both Chair Cramer and Ranking Member Alsobrooks.

S. 1733 proposes a pragmatic but consequential enhancement, increasing the Federal transferability cap on highway funding from 50 percent to 75 percent. This simple adjustment will afford State DOTs, including Maryland, critical latitude to deploy Federal resources where they yield the highest return, empowering evidence-based, data-driven investment decisions that respond to dynamic local needs.

For Maryland, this flexibility means that we can more efficiently direct funds toward multi-modal, community, and climate priorities, modernizing our transit fleets, investing in electric vehicle infrastructure, bolstering port resiliency and advancing targeted safety improvements in historically underserved communities.

As it stands, MDOT flexes approximately $45 million annually for transit capital and expects to leverage even more with additional flexibility. Given our multimodal nature, we have also been able to provide the Port of Baltimore with $40 million in PROTECT funding to advance resiliency efforts at our public marine terminals.

However, for flexibility to effectively support multi-modalism, I also encourage the committee to ensure consistency and transparency in eligibility determination for all USDOT modal agencies and transparent prioritization processes for State-led Federal aid investments.

S. 1733 is a value multiplier, not a zero sum game. It allows us to strategically advance a safe, reliable and sustainable transportation system.

Turning next to S. 1828, the Safe Routes Improvement Act, for which we thank Senators Cramer and Markey for their leadership. This bill is personal to me. As of the start of my career with the Maryland State Highway Administration, I had the opportunity to administer and support the Safe Routes to School Program and other local public agency programs. I also served as a consultant Safe Routes to School coordinator for the Sate of Delaware prior to joining State service, when I worked as a consultant.

This bipartisan legislation addresses a critical national imperative, safeguarding our most vulnerable road users, particularly children and pedestrians near schools. By requiring every State DOT to designate a Safe Routes to School coordinator, S. 1828 ensures ongoing institutional commitment to pedestrian and bicyclist safety as an agency priority.

In Maryland, we have witnessed first-hand the transformative impact of Safe Routes to School initiatives from high visibility crosswalks and traffic calming in Montgomery County to sidewalk enhancements near transit in Prince Georges County and trail connectivity in Western Maryland. Formalizing the Safe Routes Coordinator will allow us to optimize

interagency collaboration, target resources more effectively, and advance the Vision Zero goal of eliminating roadway fatalities.

This bill also aligns with our own efforts to encourage local governments in our State to utilize Safe Routes funding to bring on local coordinators.

So as Congress contemplates the next reauthorization, MDOT respectfully submits the following priorities to your consideration.

Sustained, predictable formula funding. MDOT urges Congress to preserve robust formula based Federal funding across all transportation modes, including highways and transit and aviation, and to examine ways to ensure predictable funding for rail and port infrastructure.

Such funding is critical for ensuring long-term planning and stability and enables States to make strategic multi-modal investments that address local and regional transportation needs.

MDOT encourage the enactment of measures such as S. 944, the Sarah Debbink Langenkamp Active Transportation Safety Act. This legislation would strengthen eligibility for safety-oriented projects in high need communities by allowing proven interventions such as protected bike lanes to receive full Federal cost share.

This reform is particularly important for jurisdictions that may lack the resources for local matching funds but have significant safety needs.

We also appreciate Senator Alsobrooks and the Maryland delegation for their leadership on this critical bill.

In conclusion, the diversity and scale of Maryland's transportation system requires adaptive, flexible tools and empowered Federal and State and local partners. S. 1733 and S. 1828 exemplify forward-leaning policy equipping States to make strategic, evidence-based investments that deliver safety opportunities and equity for all.

Chairman Cramer, Ranking Member Alsobrooks, and members of this esteemed subcommittee, thank you for your leadership and vision in shaping a modern, resilient transportation future for our Nation. I appreciate the opportunity to contribute Maryland's unique perspective, and look forward to answering your questions.

[The prepared statement of Ms. Biddle follows:]

Senator Cramer. Thank you, Ms. Biddle.

Thank you all for your opening statements. While all intuitively know there is a big difference between Maryland and North Dakota, you two have painted a perfect picture of just how very different they are. We don't have a lot of ports there.

[Laughter.]

Senator Cramer. But another State that doesn't have a lot of ports besides North Dakota would be Nebraska. I am going to turn for the questions first to Senator Ricketts, Senator/Governor Ricketts, who I am sure brings a very important perspective to this. We will star with you, Governor.

Senator Ricketts. Great, thank you very much, Chairman Cramer, and Ranking Member Alsobrooks. Thank you very much for holding this important hearing on surface transportation, and I look forward to working with the committee to be able to really craft another great bill.

I want to say thank you to our witnesses for sharing your testimony here. I look forward to talking about some of the reforms that we can do to be able to help.

Deputy Director Orn, Deputy Secretary Biddle, both of you talked about flexibility in your opening remarks. When I was Governor of Nebraska, that is one of the things that we certainly would have appreciated as well, is more flexibility. Because as the Chairman pointed out, States are different. And

they have different needs.

We don't have a lot of ports in Nebraska, either, as a matter of fact. But we do have rail, we do have surface transportation, we have runways for our airports and all that.

One of the other things I did when I was Governor is implemented a process improvement methodology called Lean Six Sigma. Again, what that did is help us streamline how we issued our construction permits, as an example.

What Lean Six Sigma does, we can't change any sort of environmental regulations, but we can change the process for how we do it. We were able to cut the number of steps to issue an air construction permit down from 110 steps to 22 steps, and by doing that, we took the time to issue a permit from 190 days to 65 days, again, without changing any sort of environmental regulations along those lines, but providing better service to our taxpayers.

So that is just one example of some of the improvements we can make with regard to looking at the next transportation bill, is how we can find ways to streamline the operations. Modern transportation projects are complex. But that doesn't mean they should be impossible. In fact, that is one of the things we need to do is make sure we are delivering on these important projects.

So for both of you, I would like you each to take a turn,

talk to me about what are some specific ideas that you would like to see us do here in Washington that would help with flexibility in your Sates.

Deputy Director Orn, we will start with you.

Mr. Orn. Thank you, Senator, for the question.

Flexibility is very key to what we do in North Dakota. We are a fairly small State. Our Federal funds are toward the bottom end that we receive.

Flexibility gives us the ability to get those dollars to the priorities that we need across the State. So the more flexibility you have, the better we can react to where the needs are. The more programs that are created, the more divvied up the dollars are, and it makes it harder to react and get the dollars where they are needed.

So flexibility is a critical thing for us in our State. Also, regulations, any simplification of regulations that this committee can do, especially when it comes to like modernizing some of the dollar amounts and some of the things in the regulation because of inflation. I believe the report says since 2021, inflation has increased by 80 percent. So that has been a real burden on States.

So anything that could be done there to modernize some of the numbers that we have in regulations, so they are more in line with what we experience today.

Senator Ricketts. So again, if I understand you correctly, you are saying there are dollar thresholds below which you have flexibility, or more flexibility. And because of inflation, you would like to see those dollar thresholds taken up, back to at least where they were in 2021 relatively, 2021 dollars, even to just keep it even with where it was before. Is that accurate?

Mr. Orn. That is correct, Senator, because then that provides more flexibility to hire, you have some of those thresholds. A few less regulations and requirements that we have to get into, which can speed up the delivery of the projects.

Senator Ricketts. Right.

Deputy Secretary Biddle?

Ms. Biddle. Than you so much for the question. I think for us, being a multimodal transportation department, having the ability to flex funds between our modes has been an integral, really success story for us, especially as we tend to have perhaps fluctuating needs and priorities across our various modes.

We are responsible for our highway network as well as our transit system and the ability to flex those funds as critical state of good repair needs arise makes the delivery of projects inherently more expeditious. So knowing that we have that flexibility allows us to look at some of these projects that

often have large price tags and figure out how we can program those over a number of years with real certainty, knowing that these projects are multi-year and can involve a combination of different funding sources.

So having the reliability and sustainability of the ability to flex funds between our modes grants more certainty throughout our department, and then also to our various partners and stakeholders who rely on us to deliver projects really across those various modes.

Senator Ricketts. Great. Thank you very much.

I have 13 seconds left, so other questions I will submit for the record. Thank you, Chairman, for letting me go, because I have to go preside here in a little bit.

Senator Cramer. We don't want you to be late for that.

Senator Ricketts. No, they will get mad at me.

Senator Cramer. Whoever is in the chair will certainly get mad at me, probably.

Thank you. I am glad we could accommodate that.

I now turn it over to Ranking Member Alsobrooks for her questions.

Senator Alsobrooks. Thank you so much, Mr. Chair.

I will begin with just a few questions. Mr. Orn, I will start with you. Many rural counties, including in Maryland, face unique challenges when it comes to roadway safety, like

long stretches of unlit roads, we have limited emergency response and aging infrastructure. I am just curious about how you believe current Federal safety programs are able to provide States, and whether you believe they are, with sufficient flexibility to effectively address these unique risks?

Mr. Orn. Senator Alsobrooks, first thing, I want to thank you for your leadership on the Highway Funding Transferability Improvement Act.

To answer your question, that is a real concern, because in North Dakota, the majority of our serious injuries and fatalities do happen off the State system, they do happen on our local roads. We did go through a series of a local road safety plan where we developed low cost improvements for our locals that they could look at, and that would be highway lighting, striping, that was signing, that was some low cost things that they could submit.

And I think something that Samantha mentioned over there about, that we run into with some of the locals, is coming up with a match, with the safety program being a 90-10 then the locals have to come up with that 10 percent match. Given the flexibility then, we are always all about flexibility. If you can set that flexibility up to that 100 percent, that is a maximum, doesn't mean you have to do it, but then it gives you your ability for counties and areas that maybe can't afford to

do that match, but improvements are very much needed in those areas.

Senator Alsobrooks. I know North Dakota is expected to receive I believe about $87 million, and this is under the IIJA, from the Highway Safety Improvement Program. I am just wondering how well you believe the program is helping your State address the particular safety challenges that you face in rural areas, and what safety results has it been producing for your State?

Mr. Orn. Senator, we develop our five-year highway safety plan, and we follow through to that. I also mentioned, we have local road safety plans. I am very proud to say that in North Dakota, we had our lowest fatalities in over 20-plus years. Plus we have had our lowest fatality rate since we have been tracking it.

So I believe the safety improvements, the low-cost safety improvements and the other improvements that we are doing and working with our partners is extremely effective in our State. We are very proud of that record.

Senator Alsobrooks. Are there any improvements that you think Congress should consider for the Highway Safety Improvement Program, and Safe Streets and Roads for All to better serve the specific needs of rural communities?

Mr. Orn. Other than increasing the match up to that 100

percent, anything we can do to provide more flexibility to those locals is a good thing. And any way we can help them.

Senator Alsobrooks. I'm going to go back to Ms. Biddle. We are so proud, Maryland is leading the way in modernizing transportation by utilizing Federal funding to improve essential infrastructure. I wonder if you can tell us how increasing the allowable transfer of Federal highway funds between eligible programs would help address the most pressing transportation needs in Maryland and in other States.

Ms. Biddle. Thank you, Senator. To expand upon some of my previous comments, I think one of the other things to keep note of is, as projects are being developed, we certainly start off with what the core purpose and need of any given project is.

But once we start to work more closely with stakeholders, including communities, we can also identify other things that we can add or enhance to a project to make it from maybe a simple resurfacing or restriping project to add in something like a bike lane or some other accommodation for vulnerable users.

Oftentimes, there can be some red tape associated with, as the scope of a project may advance or develop. And maintaining the flexibility of the Federal funds allows us to keep the federally eligible portion of our project to be at its highest maximum component, meaning that our State match might be more like an 80-20 rather than something lower than that.

And the more and more that we can do to leverage Federal funds the more projects we can do and the more that we can do to deliver and expand the type of impactful solutions that we want to do across the State.

Senator Alsobrooks. Thank you so much.

Senator Cramer. I now recognize Senator Lummis from another State in the middle of the continent with no ports, but a lot of similarities to North Dakota. Although we have removed all our mountains.

[Laughter]

Senator Lummis. I want to thank the witnesses for coming today and sharing your expertise with the committee.

I also want to commend the family of the deceased young person who was on her bike. In Grand Teton National Park, in my State, a young biker, a young girl was also killed by a car that was looking at the Tetons and not at the road. It changed the transportation in the park, accommodating bicycles on a different route that separated them and just made everything so much safer for both bicyclers, runners and cars alike.

So your work will be recognized and my condolences that that is what brought you here today. But thank you for coming.

Mr. Orn, thank you for representing not just North Dakota today but North and South Dakota, Idaho, Montana, Wyoming. Our States are very similar in terms of the way that highways

dominate our transportation needs. And you stated it well in your testimony, you said benefits, the rural States' highways benefit the entire Nation. And specifically note how truck movements traverse States like North Dakota, South Dakota, and Wyoming.

And indeed they do. My gosh, on Interstate 80, it is just one 18-wheeler after another. And they are backed up when our weather gets really bad.

So the significance of these ribbons of highway just cannot be overestimated in terms of their ability to serve the Nation and its needs for goods and services as they transverse the continent.

You also highlighted the reality of our short construction seasons, where delays of even a month can delay for a year the construction of certain segments of highway. Just like in Wyoming, weather is the news on a lot of days in our State.

So I want to thank you for recognizing that without a strong network of roads in the rural west, access to many of our Country's great national parks and other scenic wonders would be limited as well as the tremendous transportation needs our Country has that are fulfilled by our highways.

So, Mr. Orn, I want to start by asking about formula dollars. Your testimony notes that formula dollars deliver projects more promptly than discretionary dollars.

Can you elaborate on this?

Mr. Orn. Senator Lummis, yes, I sure can. First of all, I just want to thank you for your work and leadership on the SPEED Act. That is very much appreciated.

Senator Lummis. Thank you.

Mr. Orn. Formula funds, they are the most successful way to get dollars to the benefit of the people as quickly as possible. States are able to set their priorities and set those projects and then there is a known factor that we know what we are going to do and what we are going to be able to do.

Unlike discretionary grants, where you apply and it is somewhat of a waiting game and it is unknown, are we going to get it, aren't we going to get it, with formula funds we plan, we get it ready, we get the shovels in the ground. So it is a way to get, like I said, the benefits to the public as quickly as possible. That is who we all work for.

States have proven over the years that formula funds work, and they are the most efficient driver and the most efficient way to deliver those projects.

Senator Lummis. Thank you.

You referenced the SPEED Act. I do want to dive into that a little bit. It doubles the categorical exclusion thresholds for highway projects. So currently, smaller transportation projects can bypass lengthy environmental reviews if they

receive less than $6 million in Federal funds or costs under $35 million in total with Federal funds under 15 percent.

So the SPEED Act would double those numbers. You noted that skyrocketing inflation has eroded the benefits of today's cat ex exclusions.

Can you speak to how doubling the categorical exclusion thresholds would accelerate project delivery in States like ours?

Mr. Orn. Senator, by doubling that to catch up with inflation, like you said, it is less regulation, it is less environmental, NEPA that you have to go through for a very simple project that has been proven time after time after time.

So that gives the ability, especially with using formula funds, gives you the ability to get that project out there that much quicker, and then we don't miss that construction season. It just will save States, small States like ours, a lot of time and a lot of resources that can be focused on other areas.

Senator Lummis. Yes, time is sure money in our States. You are planning and trying to execute and do the bidding, open the bids, execute the contracts, and my gosh, in the intervening time frame, the project has gone up and now you can't even afford to do it anymore.

So thank you for your testimony. I have other questions. I will submit them for the record or if there is another round I

might ask them in person.

Thank you all for being here.

Senator Cramer. Thank you.

We have been joined by the Chairman of the full committee, Senator Capito. I am going to turn to her now for her questions.

Senator Capito. Thank you, Mr. Chairman, and I thank the Ranking Member. Thank all of you for being here, for being our guests. I know Senator Cramer has said that we are marching to hopefully a reauthorization of the Surface Transportation bill in a timely fashion, timely being September 2026. And we are working well together as a committee.

My history here on Capitol Hill has been that transportation infrastructure is something that we all have, we have our different needs, but we all have need for. So I think flexibility, Senator Lummis asked the first question I was going to ask of Mr. Orn on the flexibilities that you get by having the formula funding. We are not going to build highways in West Virginia the same way that you build them in North Dakota or in Maryland or other places. There are just different needs.

So I will leave that question, because I think you answered that. But I think one of the things that is important as well is permitting reform. I think if we can get bipartisan permitting reform, all of these dollars will go a lot faster and

a lot more efficiently than they have in the past.

Do you, Mr. Orn, or Ms. Jones or Ms. Biddle, have any comment on permitting reform?

Ms. Biddle. Thank you, Chairman. I believe that permitting reform is certainly something that we look forward to supporting, both at the Federal level as well as at the State level. Because as you know, the permitting landscape is not exclusive just to that that we navigate with all of our Federal partners.

In the State of Maryland, we have robust State permitting as well. So coordinating the sequence of permits on both levels can be extremely challenging. And to Mr. Orn's experience, I don't share in the extremely limited construction season that he does, but I know that even in the State of Maryland, we have things like when we can do work in and around streams and things like that.

Senator Capito. Right.

Ms. Biddle. We really want to make sure that we are taking advantage of every available window. And oftentimes it can be things like permits that can cause us to perhaps lose a moment of opportunity. So certainly I agree with you in that sense.

Senator Capito. Thank you.

Let me follow up with you on another question. Our member, Senator Cardin, was on this committee for a very, very long

time, when the Francis Scott Key Bridge was hit and destroyed, and lost lives, very tragic event, he pushed really, really hard to up the Federal share of rebuilding that facility 100 percent. I talked to the Governor a couple of times, and the sheer will of Senator Cardin got that done.

So it was a big lift for him. But could you update me on the status of the reconstruction of the bridge and tell us the current cost estimate for that bridge?

Ms. Biddle. Of course, and thank you as well for your support and partnership as we navigated what was truly a catastrophic event that we are still working through.

We are still immensely grateful for the Federal support. This is a critical national freight and supply chain asset. We pledge to remain transparent with this committee in providing updates as well as in our efforts to seek reimbursement to the responsible party for that bridge collision.

To date, the Francis Scott Key Bridge rebuild has been environmentally cleared, and we have a progressive design-build contractor in place and preconstruction and demolition activities are currently underway. We appreciate the strong continued partnership with the Federal Highway Administration as well as our progressive design-build contractor, Kiewit.

And we do remain on track to deliver a new bridge as quickly and cost effectively as possible. However, due to the

progressive design-build process that we are working through we are currently still tracking the initial cost estimate from earlier on in the bridge rebuild process.

Senator Capito. Do you recall what the initial estimate of that project was?

Ms. Biddle. Yes, $1.7 to $1.9 billion.

Senator Capito. Right. And what is it now?

Ms. Biddle. We have not updated that cost estimate yet. We are working closely with our progressive design builder as we work past 50 percent design and look forward to --

Senator Capito. When you say progressive, is that the name of the company?

Ms. Biddle. No, that is the type of procurement and construction delivery method. We brought on a contractor that also has a designer with them. So we are working hand in hand on the design while we execute some early works packages.

Senator Capito. So, a design-build?

Ms. Biddle. A design-build, but the cost was not negotiated up front. So as we work through the design process, we will then get to the point at which we will negotiate the final cost of the bridge.

Senator Capito. So I could just kind of add a little spice to the meeting here, I can say this was one of the reasons that the cost share by the State, many of us though the State should

still contribute in the usual way, whether it was 90-10 or 80-20. Because really there is no incentive for the State now to contain the cost, because there is no cost to the State. And it is all federally-funded. And you are going to have to get more funding than what you have initially.

So I am just going to use that as an example of why the cost share by States is an essential part of highway building. You have to have some skin in the game. Understanding that this was an exceptional case, which is why we made the exception for that.

The last thing I would say, because I am sitting next to Senator Lummis, is truck parking. Have you talked about it yet?

Senator Lummis. No.

Senator Capito. No? No, she hasn't talked about truck parking.

Senator Lummis. Can you imagine?

Senator Capito. No. Well, I think all of us realize that this is a real problem. You can see them stacking up on the exit and entry lanes as you are getting onto an interstate highway.

I support her in realizing that this is a real issue. Although our State just got some truck parking dollars that were just allotted by the USDOT. So hopefully we will be increasing our truck parking.

And when you park in West Virginia you might as well ride the rapids and do everything else that you can do while you are there. Just putting a little -- yes, tourist trap.

Anyway, thank you, Mr. Chairman, for having me. Thank you, Senator Alsbrooks.

Senator Cramer. Thank you.

Yes, truck parking, how could we get through a hearing without truck parking coming up?

So, thank you. I am going to try to summarize a couple of issues and then just sort of seek your best counsel on the acceleration issue, how we can move things quicker. Whether it is permitting reform, as has been referred to, sequence, I think you referenced it, Ms. Biddle. I talked about it in my opening statement, the One Federal Decision.

But let me ask a more open-ended question of Mr. Orn and Ms. Biddle. What other specific suggestions would you have for us to accelerate delivery, perhaps through regulatory reforms or other things, while maintaining the integrity of regulatory -- or environmental protection? I believe there are ways to, not cut corners, but streamline the process by going -- you talked about sequencing it.

So whether it is consecutive versus concurrent, or One Federal Decision I thought would work better, frankly. Maybe it was a matter of execution. But maybe just ask each of you for

your open-ended thoughts on ideas that we could try to put into this bill.

Mr. Orn. Thank you, Chairman Cramer. As you mentioned, One Federal Decision has been a point of frustration for us in North Dakota. It sounded like a great deal when it came out; it just hasn't happened to our benefit. We have had a couple of cases with the FRA and with the U.S. Army Corps of Engineers where we were forced into a different type of environmental document because they would not accept the Federal Highway cat ex.

So that is one area we would strongly approve that you strengthen to make that better.

Increasing any regulations due to the inflation, as I mentioned before, a couple more areas in that area, other than the cat ex, value engineering is another thing. We need a raise on that for value engineering.

And then the definition of a major project, that is another thing. Even here in North Dakota, we are right up against the definition of a major project, which, when I first started at DOT, I would have never ever thought we would be anywhere near to what the cost of a major project, but just to the sheer costs of projects were right there.

Something that North Dakota, that is really near and dear, is data collection, excessive data collection. We are a rural

State, we have limited resources, we have low numbers of people, or staff that we have. But we are doing a lot of data collection, we are data-rich, information-poor. A lot, a lot of data. What do we do with it all?

And with that, we would look at, let's make sure that the data that we are out spending our time collecting and spending the dollars and resources is truly needed, that it is not duplicated across other programs. Because there are other areas, where like I mentioned before, those resources could be put to use.

Senator Cramer. I appreciate that.

On the One Federal Decision issue, it sounds to me like the concept is sound, but the execution was not. Maybe all the decision-making agencies that weren't the one took exception. Sounds like a discipline issue.

But anyway, Ms. Biddle, your open-ended thoughts on where we might find some shortening of the time frame a little bit.

Ms. Biddle. Certainly. I share with Mr. Orn's concern and experience on just the definition of a major project as well. From a State based experience, the way that we define certain major projects in our State used to be a $10 million threshold. And when I first started with the State that could get you maybe even like part of an interchange. These days it is a single resurfacing project on a single road.

So just being realistic about kind of how far we are able to stretch these dollars and then how that does also apply to the permitting landscape I think is a needed adjustment in thinking through those sorts of thing.

I think just for us, we have seen I think some success with some of the existing permitting reforms. We also share a really strong relationships with all of our USDOT modal office staff representatives. I think for us, it is those working relationships and being able to work through the permitting activities at all of the modes really efficiently.

It does often come down to the people and not necessarily to a regulatory reform. I know that is not necessarily an easy suggestion to legislate.

But I do just want to say that the people play an essential role in expediting the delivery of these projects as well.

Senator Cramer. Thank you very much.

Ms. Jones, I might just ask you quickly, getting to the Safe Routes to School Improvement Act, what has worked and what you have identified pretty clearly, including with some pretty valuable statistics. Safety has to be paramount.

I think frankly safety is one of the issues that we don't talk about enough when it comes to just building more highways or building another lane. That safety seems to be sometimes like its own thing.

But with regard specifically to this, tell me a little bit about your experience with communities that don't know what to do. They may want to do something; they may even have a good idea of how to do something. But the thing that they are missing, and this is certainly true in North Dakota, a small town may not have the technical expertise to even know a grant exists, much less how to apply for one.

Does that sound like, is that something you would do or that your network does? And how valuable is that?

Ms. Jones. Yes, absolutely. Thank you so much, Senator Cramer, and thanks for your leadership expanding the Safe Routes to Schools to high schools, which has been a huge success all across the Country.

You are identifying the exact reason that States need statewide Safe Routes to School coordinators. When this program was a dedicated program, from 2005 to 2012, there was one door. Communities knew, okay, we applied to Safe Routes to School funding.

It is now broadly eligible for a variety of funding sources, which is terrific. There is more funding available. But it means that in a small, rural community, where they might not have full-time staff at all, maybe the mayor is also the grocery clerk.

They don't have the capacity or awareness sometimes to

pursue this funding. So this is exactly why we need statewide Safe Routes to School coordinators, to help communities, first of all, raise their awareness, that this is an opportunity. And then help them navigate Federal funding, apply for grants, and build projects that save lives.

We see the return on that investment in rural States and in States all across the Country. Idaho is a really great example of a predominantly rural State that invests $120,000 year in a statewide Safe Routes to school coordinator that helps communities in their State, predominantly small towns, bring in $10 million in Safe Routes to School investments from the Transportation Alternatives Program.

And these are projects that children and families love, local elected officials love these projects. These help build economic development, improve safety, get kids physically active, and help get kids to school on time and ready to learn.

Senator Cramer. Thank you very much for that. My time is expired.

Since we have the time, and Senator Markey has now joined us, so we will be calling on him in a little bit. In fact, if you are ready I will call on your right now. With that, I recognize Senator Markey for his questions.

Senator Markey. Thank you, Chairman. Thank you for this hearing.

The Safe Routes to School programs as [remarks off microphone] to bike to school by redesigning road infrastructure near schools and raising awareness about road safety in communities. Now, I know it is important because when I was five years old, I was hit by a car, turned into a projectile, and my fingers never did quite come back together after landing, because you are trying to protect your head from that incredible concussion which you are going to get.

It really hurts, by the way, when you get hit by a car; honest to goodness, does that hurt. That is something you never forget. And so obviously I became a big auto safety guy, big street safety guy. I was chasing Charlie Cadero and Bobby Olson. They were nine, I was five. I grew up in a deregulated childhood, if you know what I am saying. I am three streets away from my house, and I am five.

Although States have significant flexibility in how they fund this program, they often don't have a statewide coordinator to help facilitate projects, particularly in rural areas where communities may have fewer resources to carry out this program.

In Massachusetts, we have had a statewide Safe Routes coordinator for over 20 years, shaping our statewide vision for the program and providing rural and urban communities alike with guidance to implement these lifesaving programs.

Ms. Jones, do you agree that the Massachusetts approach to

the Safe Routes to School program helps keep students safe when traveling to and from school?

Ms. Jones. Thank you so much, Senator Markey, and thanks for your leadership on the Safe Routes Improvement Act.

Absolutely, we view the Massachusetts program as an exemplar in the Nation. For 20 years, it has had that robust statewide coordination that helps communities all across the Commonwealth benefit from this lifesaving program.

And you spoke to Massachusetts' focus on rural communities. I want to speak to specifically why the Safe Routes to School coordinator position is so helpful at getting more rural communities involved in Safe Routes to School. Oftentimes, if there is a lesson learned, if there is not a coordinator, it just stays with that community by themselves.

In Massachusetts, the statewide Safe Routes to School coordinator created a series of rural key studies for Safe Routes to School programs, so that they can be shared out, and other rural communities don't have to reinvent the wheel, learning how to access this program, learning how to deliver lifesaving projects for their constituents.

Senator Markey. Senator Cramer and I agree with you. We believe that a vision without a coordinator is an hallucination. So you need a coordinator. That is why I am proud to partner with Senator Cramer on the Safe Routes Improvement Act. Our

legislation takes a lesson from both Massachusetts and North Dakota by requiring State departments of transportation to have a full-time coordinator for Safe Routes for School programming. Whether you are a child in North Dakota or Massachusetts, you shouldn't have to worry about getting to school safely.

Mr. Orn, let's turn to another transportation issue related to North Dakota. North Dakota ranks second in in the Nation for the high quality condition of its roads. Your State has achieved this impressive performance in part because it prioritizes maintaining its roads in a state of good repair, such as ensuring existing roads are smooth and pothole-free.

Well-maintained roads allow travelers to avoid expensive and dangerous incidents such as flat tires, broken axles, and that makes roads safer for all road users and saves travelers money.

Mr. Orn, do you agree that prioritizing maintenance has led to a more affordable and efficient transportation system for North Dakota residents?

Mr. Orn. Senator Markey, first I want to also echo your leadership on the Safe Routes Improvement Act. I appreciate that.

In North Dakota, we have just over 1,000 employees and over a third of them are dedicated to the maintenance of the roads. They try to get out and maintain at least a third of the roads

every year. So we do put a lot of effort into maintaining our roads. Then we try to program the projects at the right time. If you get the improvement done in the right time, then it is less improvements you have to make, so you can go more with the maintenance project that you talked about.

But we also throw in some other major projects we need to do, shoulder widening, reconstructions and all that stuff. But I believe in and am very proud of what North Dakota brings, as you mentioned, with the second in the Nation with the quality of our roads. I invite everybody out to North Dakota, a great rural State.

Senator Markey. Again, I am looking forward to working with you. I think you have the right frame. North Dakota spends 94 percent of its highway dollars on maintenance, just to make sure that they are there.

If I may just finish up my story. So now, I am out in the middle of the street. I am five years old. But a thousand pounds of steel, when it hits you, it really hurts. So I am there, and I hurt. All of a sudden, somebody picks me up, puts me in the back seat of the car, and they are driving 100 miles an hour up to the emergency room of the Malden Hospital.

There are two things your mother always tells you when you are a kid. Number one, if you are ever hit by a car, your phone number is M840815. You are five years old. Number two, change

your underpants every day, because if you are ever in an accident, I am going to be so embarrassed if you are wearing dirty underpants.

[Laughter.]

Senator Markey. So now, the doctor says, what is your phone number, M840815. So now I can hear, Mrs. Markey, we have your boy here, and if you give us permission to operate. But the nurses are starting to unbuckle my pants, and I know I haven't changed my underpants in five days; I am five years old.

So I am trying with my fingers to hold on, and my last memory is this chloroform coming onto my face, and I am out. I am out.

Anyway, I am 25 years old, I am running for State representative. I am in my third year at Boston College Law School. And it is five minutes of eight, and I am on the other side of town from where I live.

And this guy comes up to me and says, were you hit by a car when you were five years old? I said, yes. Did somebody pick you up, put you in the back seat of the car, and drive you to the hospital? I said, yes.

He said, did you ever wonder who that guy was? I said yes. He said, well, I was a fireman who was sitting on my porch, so I just did that.

And you know what? My wife and I, we were talking, it

sounds like you have turned out okay. So I am going to go in and be your last vote tonight.

You know what trumps an election? Getting hit by a car. So the only thing I am thinking about, I am in the wayback machine right now, thinking about that kid who got hit, and how fortunate I was just to be there. That is why I thank all of you for all the work you are doing to try to make our roads safer, especially for kids in school.

Thank you, Mr. Chairman.

Senator Cramer. As public servants, we are often motivated by personal experience. That is one good story, I have to say. Thank you for sharing that with us.

We have some time to have a second round of questions, Senators, if you are open to doing that. I will recognize the Ranking Member to start off the second round of questioning, then go directly to you, Senator Lummis.

Senator Alsobrooks. Thank you, Mr. Chair.

I just have a couple of questions for Ms. Biddle and Mr. Orn. This question is about accountability and transparency. Your States' departments of transportation are responsible for deciding how and where you will spend Federal highway dollars in your State. Accountability is critical when selecting projects to ensure that investments address the most pressing needs, whether it be improved resilience, enhanced multi-modal

transportation or implementing safety measures.

So we need to be sure that flexibility, although that is important, does not result in under-investment in underserved communities, and that all States continue to support modes of transportation.

So as we consider expanding States' ability to transfer Federal highway funds across programs, how can we also strengthen transparency and accountability? If you can just each answer that.

Ms. Biddle. Thank you so much for the question. I completely agree. When States have greater authority to direct those Federal funds where they are most needed, whether for safety, climate change resilience, it is equally important that those decisions are all well documented, performance based and clearly communicated to all of our partners.

One way to strengthen the accountability is through enhanced public reporting and performance tracking, perhaps tied to our State Transportation Improvement Program, or STIP. Every project that benefits from flexed funds should be traceable within the STIP, accompanied by measurable outcomes, aligned with national performance goals, especially in safety asset condition and emissions reduction.

These tools already exist and we simply need to ensure that they are consistently used and with clear metrics.

I think accountability also depends on robust coordination between States and USDOT's modal agencies. That supports consistent and transparent eligibility determinations across all these programs, so States can plan flexibly while remaining grounded in Federal oversight and public expectation.

Why is this important? Because public trust in the transportation system depends on demonstrating that Federal dollars are delivering those real results. We need to have reliable transit, we need to have equitable access, long-term infrastructure resilience. When flexibility is paired with clear goals and data-driven implementation, we are not just spending money, we are also solving problems.

Finally, advancing programs like Vision Zero, our State highway safety plans, and targeted safety legislation, such as the Safe Routes Improvement Act, it helps us ensure that even with fund transfers, our core mission remains the same, that we are all saving lives and expanding opportunity.

Senator Alsobrooks. Thank you.

Mr. Orn. Senator, I concur with some of the remarks that Samantha made. We also have our STIP, we have our tribal meetings to reach out to our tribes. We work with them, our MPOs. We also work with our local public agencies.

I just want to say that every project that we do in our State is either in a community or it affects a community,

whether in a county, a city, a small city or big city. Every investment we make does affect our communities.

Actually, what we use our transfers for is to able to be more flexible toward our larger communities. So the more we can transfer, the better we can help with their priorities and reach the goals that they want in their communities.

Without the transferability, it would make it extremely difficult, because with the suballocations, we do get down to where they are fairly small in our State. So it makes it very difficult. You have to have just the right project to fit just the right dollar amount. That may not always be a right priority.

So through transfers, we are able to benefit a lot of our communities. That is part of the use that we use that, and that is why we are very supportive of the Transferability Act.

Senator Alsobrooks. Thank you.

Just one more question, for Ms. Jones. It is a question about barriers. I know we have heard a lot about how the Safe Routes to School program improves pedestrian and cyclist safety, and the efficacy of it. Can you just talk a little bit about the barriers that exist at the State or local level that limit both the scale or speed of the implementation of the program?

Ms. Jones. Yes, thank you so much for the question, Senator Alsobrooks. I mentioned in a prior response that

sometimes it is awareness or a lack of capacity from a local community to apply.

But another barrier is the local match requirement. These projects typically require the 20 percent match. Some States are using new flexibility from the IIJA to reduce match in high-need areas. But many communities still struggle with that 20 percent.

That is why the Sarah Debbink Langenkamp bill is so important. It gives States the flexibility, if they would like to use the Highway Safety Improvement Program as match for local safety projects like Safe Routes to School projects.

To me, this is the perfect example of flexibility focused on accountability and outcomes. It gives States a tool in service of a desired outcome, safety. And it really helps local communities that don't have that 20 percent match, particularly small and rural communities with low tax base who would otherwise not be able to access those funds.

Senator Alsobrooks. Thank you.

I yield back, Mr. Chair.

Senator Cramer. Thank you. Thank you very much.

I will try to wrap it up here. Senator Lummis had to leave, but she wanted me to ask you a question, Chad, on her behalf. So I am going to do my best to sort of summarize her point here.

She wanted to touch on her legislation, Senate 1066, the Highway Funding Flexibility Act. I think you might have mentioned it. It addresses the practical reality that the National Electric Vehicle Infrastructure Program is fraught with significant implementation challenges, which has left substantial funds unobligated while States have, of course, high priorities.

So her question is, from a State transportation management perspective, can you explain how the flexibility to redirect stalled NEVI funds to highway and bridge projects could help deliver more immediate benefits to the public?

Mr. Orn. Thank you, Chairman Cramer. In North Dakota, as in most States, we have a lot of needs. The needs outweigh the dollars. So with the NEVI dollars, with the bill that you referred to, that would give the States ability to spend those dollars on highways and bridges, which gets back to the basics of our system, spending dollars on highways and bridges.

That would give us the added flexibility to inject more dollars into our system, so we would be very open to that, rather than those dollars going elsewhere, to have them flow back into the highways and bridges.

Senator Cramer. Thank you.

Okay, let me wrap up with, I am going to ask another safety question, but I am going to ask it of you, Ms. Biddle and you,

Mr. Orn. It has to do with worker safety. Because one of the things we see, we have talked a lot about how short North Dakota's season is, and in some respects, as much as we don't like to see winter, we do appreciate the fact that the freeway is wide open again.

That said, in as big a hurry as we are to get a highway maintained or built or fixed, we are also often in too big a hurry to get to wherever our destination is, and don't pay close enough attention to the hazard of workers right on the very highway we are driving on.

Maybe you could, if you have any thoughts or suggestions, legislatively, that we should be looking at for improvement of worker safety, I just know when I see orange, I slow down. The minimum fine isn't really the factor; it is more the human situation that scares me.

But maybe if you have some specific thoughts on how we can improve the legislation to help States with that program, it would be useful.

Ms. Biddle. Thank you so much for the question. It certainly hits close to home for the State of Maryland. Certainly the tragedy that we experienced just last year was one that I think garnered a lot of attention nationwide. But unfortunately, in March of the year prior, we experienced a crash on the Baltimore beltway that killed six highway

construction workers. We had vehicles traveling in excess of 100 miles per hour in a work zone.

And to your point, not everyone, unfortunately, has the same reaction to the human factor there. So in the State of Maryland, we previously did have work zone cameras, that did issue tickets. But the maximum ticket, even for a repeat offender, was still $40. That just wasn't getting anyone's attention.

So through working with our State legislature and the support of our governor and lieutenant governor, we chaired a work group on this topic. We implemented legislation through the State of Maryland that introduced a tiered fine structure and also allows us to expand our implementation of work zone cameras.

I always say that I hope we don't earn a single dollar through these programs, because it is not about generating revenue, it is about protecting our workers and saving lives.

But I would be happy to submit further some of the other components of that legislation for the subcommittee's consideration, things that we have seen that have been beneficial in the State of Maryland. We do think that we have seen behavioral changes since some of that tiered structure and other technologies have been implemented.

Senator Cramer. Deterrence can be expensive, but not

nearly as expensive as not deterring.

Mr. Orn, if you have thoughts on that, I would welcome them.

Mr. Orn. Senator, obviously safety is of the upmost importance in everything that we do every day. Work zones don't just accommodate contractors. Our workers from our departments are also in those same work zones. It is near and dear to our heart.

The main thing I want to say is, we have a real good relationship with our AGC, American General Contractors. So we do work with them. Work zone is important, but we don't want to see a bunch of restrictions added to it. We still want flexibility to be able to work with our contractors and our partners on the work zone safety. If we hear any feedback, we make corrections. We fix it. We listen to them, because we know it is critical.

A few examples of stuff that we did in North Dakota, as Samantha alluded to, we also just raised our fines within work zones, almost doubled them in the State. That is going to go into effect on August 1, the State legislature does that.

And another thing we do, and we have been doing for years and years and years, is we provide overtime dollars to our highway patrol, so that they can patrol the work zones. So if there are contractors or our employees in work zones that feel

like, they think the traffic is moving way too fast, things aren't quite right, they make a few phone calls and the highway patrol shows up and they patrol. And we help pay for the overtime for those highway patrolmen to be in those work zones to make sure that the workers are safe.

Senator Cramer. Excellent.

Well, thank you all very much for your testimony. It was a very valuable hearing, and I appreciate your contributions to that.

With no further questions, I want to thank the witnesses and all my colleagues. Many more participated than I thought were going to, so I am grateful for their participation.

Senators who wish to submit written questions for the record have until 5:00 p.m. Wednesday, August 6th, to do so. Witnesses' responses to those questions are due back to the committee no later than 5:00 o'clock on Wednesday, August 20th, and will be submitted for the record. That will be 5:00 o'clock p.m. Not everybody gets up at 4:30 like I do.

With that, this hearing is adjourned.

[Whereupon, at 4:24 p.m., the hearing was adjourned.]