

Regulatory Status – 2021/22

(Items in red text indicate a change of status or new item)

October 22, 2021

Key Updates on IANA Policy Issues

Agency	Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
The White House	Executive Order	08/05/21	Executive Order on Strengthening American Leadership in Clean Cars and Trucks <i>Keywords: Trucks; Emissions</i>	<u>Executive Order</u>	President Biden signs executive order to reduce passenger car and truck emissions.
The White House	Memorandum of Understanding	07/12/21	Executive Order on Promoting Competition in the American Economy <i>Keywords: Rail; Maritime</i>	<u>Memorandum of Understanding</u>	FMC and DOJ's Antitrust Division sign an interagency memorandum of understanding to cooperate in their respective oversight and enforcement responsibilities of the ocean liner shipping industry.
	Executive Order	07/09/21		<u>Executive Order</u>	President Biden signs executive order on promoting competition in the American economy.
The White House	Update	06/08/21	Executive Order on America's Supply Chains <i>Keywords: Infrastructure</i>	<u>Fact Sheet</u>	Biden-Harris Administration publishes findings from supply chain review and announces new Supply Chain Disruptions Task Force.
	Executive Order	02/24/21		<u>Executive Order</u>	President Biden directs agencies to conduct supply chain reviews. Report due in one year.
The White House	Memorandum	01/20/21	Memorandum of Regulatory Freeze Pending Review <i>Keywords: Funding/Financing; Truck; Rail; Ports</i>	<u>Memorandum</u>	President Biden issues regulatory freeze on all federal agencies' rulemakings to allow time for review and approval by designated department heads.
The White House	Executive Order	01/20/21	Presidential Executive Order on Accelerating the Nation's Economic Recovery from the COVID-19 Emergency by Expediting Infrastructure Investments and Other Activities <i>Keywords: Infrastructure</i>	<u>Executive Order</u>	President Biden repeals EO directing agencies to expedite the delivery of infrastructure projects through streamlined emergency NEPA procedures.

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	Executive Order	06/04/20		<u>Executive Order</u>	President Trump directs agencies to expedite the delivery of infrastructure projects through streamlined emergency NEPA procedures.
The White House	Executive Order	01/20/21	Presidential Executive Order on Reducing Regulations and Controlling Regulatory Costs <i>Keywords: Safety (truck, rail, ocean carrier)</i>	<u>Executive Order</u>	President Biden repeals EO ordering agencies to identify at least two existing regulations to eliminate when proposing a new regulation.
	Update	04/04/19		<u>Lawsuit</u>	California, Oregon, and Minnesota file suit against President Trump and several federal agencies over "Reducing Regulation and Controlling Regulatory Costs" EO, arguing that it exceeds Constitutional and statutory authority.
	Update	04/20/18		<u>Lawsuit</u>	Advocacy groups file amended suit against President Trump's Executive Order.
	Update	02/08/17		<u>Announcement</u>	Citing benefits of the speed limiter rulemaking, groups file suit against President Trump over the "Reducing Regulation and Controlling Regulatory Costs" EO, arguing that it exceeds the President's Constitutional authority.
	Executive Order	01/30/17		<u>Executive Order</u>	President Trump orders that a department or agency identify at least two existing regulations to repeal when proposing a new regulation.
The White House	Executive Order	01/20/21	Presidential Executive Order on Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure <i>Keywords: Infrastructure</i>	<u>Executive Order</u>	President Biden repeals EO streamlining the permitting and review process for infrastructure projects.
	Memorandum of Understanding	04/09/18		<u>Memorandum of Understanding</u>	12 federal agencies sign MOU to implement President's 08/15/17 EO.

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	Executive Order	08/15/17		<u>Executive Order</u>	President Trump signs an Executive Order streamlining the permitting and review process for infrastructure projects.
The White House	Executive Order	05/19/20	Presidential Executive Order on Regulatory Relief to Support Economic Recovery <i>Keywords: Safety (truck, rail, ocean carrier)</i>	<u>Executive Order</u>	President Trump directs agencies to rescind or modify regulations that inhibit economic recovery from COVID-19, and consider making temporary pandemic-related regulations and/or waivers permanent.
The White House/ CEQ	Notice of proposed rulemaking	10/07/21	Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act <i>Keywords: Infrastructure</i>	<u>55757(86)</u>	CEQ issues notice of proposed rulemaking to modify its regulations for implementing NEPA. Comments due 11/22/21.
	Update	11/30/20		<u>Legal Brief</u>	Members of Congress file amicus brief with U.S. District Court for Western District of Virginia opposing revised NEPA regulations.
	Final rule	07/09/20		<u>Final rule</u>	CEQ publishes final rule adopting changes to NEPA review process for infrastructure projects, effective 09/14/20.
	Notice of proposed rulemaking	01/10/20		<u>1684(85)</u>	CEQ proposes revisions to NEPA review process for infrastructure projects, aiming to streamline permitting requirements and project delivery. Comments due 03/10/20.
California Air Resources Board	Rulemaking	08/28/20	Low NOx Heavy-Duty Engine and Vehicle Omnibus Regulation <i>Keywords: Emissions; Trucks</i>	<u>Announcement</u>	CARB approves Heavy-Duty Omnibus rule establishing benchmarks for emission reduction in heavy-duty engines.

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California Air Resources Board	Rulemaking	06/25/20	Advanced Clean Truck Regulation <i>Keywords: Emissions; Trucks</i>	<u>Announcement</u>	CARB approves Advanced Clean Truck rule requiring increased percentage of California truck and chassis sales be zero emission.
California Supreme Court	Update	08/09/21	Dynamex Operations West v. Superior Court of Los Angeles Case <i>Keywords: Employee Driver Mandates; Intermodal; Trucks</i>	<u>Petition</u>	CTA petitions U.S. Supreme Court for review.
	Update	06/24/21		<u>Decision</u>	U.S. Ninth Circuit Court of Appeals grants stay of preliminary injunction in California Trucking Association v. Bonta.
	Update	06/21/21		<u>Decision</u>	U.S. Ninth Circuit Court of Appeals denies petition for rehearing en banc in California Trucking Association v. Bonta.
	Update	05/26/21		<u>Petition</u>	CTA requests rehearing en banc by U.S. Ninth Circuit Court of Appeals in California Trucking Association v. Bonta.
	Update	04/28/21		<u>Decision</u>	U.S. Ninth Circuit Court of Appeals rules in California Trucking Association v. Bonta (California's Attorney General) that AB5 is not preempted by the FAAA and can be enforced.
	Update	03/26/21		<u>Decision</u>	California Court of Appeals rules in Parada v. East Coast Transport that the Dynamex decision applies retroactively and the ABC test is not preempted by the FAAAA.
	Update	01/14/21		<u>Decision</u>	California Supreme Court rules in Vazquez v. Jan-Pro Franchising that the Dynamex decision applies retroactively.

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	Update	11/19/20		<u>Decision</u>	California Court of Appeals rules that AB5 is not preempted by the FAAAA, reversing 01/08/20 decision by the Los Angeles Superior Court.
	Update	07/20/20		<u>Settlement</u>	Parties in U.S. Supreme Court case Dominic Oliveira v. New Prime Inc agree to \$28 million settlement.
	Update	05/18/20		<u>Decision</u>	U.S. Central District Court of California dismisses WSTA lawsuit challenging construction trucking provision within AB 5.
	Update	03/30/20		<u>Announcement</u>	U.S. Ninth Circuit Court of Appeals denies International Brotherhood of Teamsters' motion to stay AB 5's preliminary injunction pending outcome of defendant's appeal.
	Update	01/29/20		<u>Notice of Appeal</u>	State of California and International Brotherhood of Teamsters file appeal against AB 5's preliminary injunction.
	Update	01/16/20		<u>Decision</u>	U.S. Southern District Court of California grants preliminary injunction on enforcement of AB 5, pending the resolution of CTA's lawsuit.
	Update	01/08/20		<u>Decision</u>	Los Angeles Superior Court rules in California v. NFI Industries that AB 5 is preempted by federal FAAAA law.
	Update	12/31/19		<u>Decision</u>	U.S. Southern District Court of California grants temporary restraining

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	Update	12/19/19		<u>Lawsuit</u>	order on enforcement of AB 5, pending the resolution of CTA's lawsuit.
	Update	11/12/19		<u>Lawsuit</u>	WSTA files lawsuit challenging construction trucking provision of AB 5.
	Update	10/08/19		<u>Lawsuit</u>	CTA files amended complaint to include AB 5 in its suit challenging the California Supreme Court Dynamex decision.
	Update	10/08/19		<u>Lawsuit</u>	California's Second Appellate District Court rules in Gonzales v. San Gabriel Transit case that Dynamex decision applies retroactively.
	Update	09/18/19		<u>Legislation</u>	Governor Newsom signs AB 5, codifying Dynamex decision into California state law, effective 01/01/20.
	Update	07/22/19		<u>Lawsuit</u>	U.S. Ninth Circuit Court of Appeals withdraws 05/02/19 ruling and returns Vazquez v. Jan-Pro case to the California Supreme Court.
	Update	05/02/19		<u>Lawsuit</u>	U.S. Ninth Circuit Court of Appeals rules in Vazquez v. Jan-Pro Franchising International that the Dynamex decision applies retroactively.
	Update	11/15/18		<u>Lawsuit</u>	Central California District Court issues opinion in Alvarez v. XPO Logistics case that ABC test is preempted by federal FAAAA law. The ruling however does not set legal precedent.

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	Announcement	10/25/18		<u>Lawsuit</u>	CTA sues to challenge the California Supreme Court decision that some workers, like CMV operators, should be classified as employees instead of independent contractors.
	Decision	04/30/18		<u>Decision</u>	California Supreme Court issues ruling in Dynamex case, making it more difficult to classify workers as independent contractors by establishing new "ABC test."
Department of Energy	Request for Information	10/09/20	Office of Energy Efficiency & Renewable Energy's Medium- and Heavy-Duty Truck Research and Development Activities & SuperTruck Initiative <i>Keywords: Emissions; Truck</i>	<u>64136(85)</u>	DOE requests comments on research needs regarding the fuel and vehicle efficiency of medium and heavy-duty freight trucks. Comments due 10/09/20.
Department of Labor	Final rule; withdrawal	05/06/21	Wage and Hour Division 29 CFR Parts 780, 788, and 795 - RIN 1235-AA34 Independent Contractor Status under the Fair Labor Standards Act <i>Keywords: Employee Driver Mandates</i>	<u>24303(86)</u>	DOL withdraws independent contractor rule.
	Update	03/26/21		<u>Lawsuit</u>	Stakeholders file lawsuit claiming DOL's delay of the independent contractor rule effective date violates the Administrative Procedure Act.
	Notice of proposed rulemaking and request for comments	03/12/21		<u>14027(86)</u>	DOL proposes withdrawing independent contractor final rule. Comments due 04/12/21.
	Delay of effective date	03/02/21		<u>12535(86)</u>	DOL delays effective date of independent contractor rule until 05/07/21.
	Proposed delay of effective date	02/05/21		<u>8326(86)</u>	In accordance with President Biden's regulatory freeze, DOL proposes to delay final rule on independent contractor status until 05/07/21.

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	Update	01/26/21		<u>Update</u>	Comments on proposed delay due 02/24/21. DOL withdraws opinion letter clarifying independent contractor scenarios specific to trucking.
	Opinion Letter	01/19/21		<u>Letter</u>	DOL issues opinion letter clarifying independent contractor scenarios specific to trucking.
	Final rule	01/07/21		<u>1168(86)</u>	DOL finalizes rule to clarify independent contractor status under the Fair Labor Standards Act, effective 03/08/21.
	Notice of proposed rulemaking and request for comments	09/25/20		<u>60600(85)</u>	DOL proposes new rule to clarify independent contractor status under the Fair Labor Standards Act. Comments due 10/26/20.
Department of Labor/ OSHA	Request for nominations	12/08/20	Maritime Advisory Committee on Occupational Safety and Health (MACOSH) <i>Keywords: Safety; Ports</i>	<u>79040(85)</u>	OSHA seeks nominations for Maritime Advisory Committee on Occupational Safety and Health, due 01/22/21.
FCC	Update	06/02/21	Use of the 5.850-5.925 GHz Band Notice of Proposed Rulemaking – ET Docket No. 19-138 <i>Keywords: Freight; Safety</i>	<u>Notice of Appeal</u>	ITS America & AASHTO file notice of appeal and petition for review with DC Circuit Court seeking to reverse FCC final rule.
	Final rule	05/03/21		<u>23281(86)</u>	FCC issues final rule reallocating portions of the 5.9 GHz spectrum currently restricted to transportation safety communication services to allow unlicensed uses.
	Proposed rule	05/03/21		<u>23323(86)</u>	FCC issues proposed rule and requests comments. Comments due 06/02/21, reply comments due 07/02/21.

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	Letter	03/25/21		<u>Letter</u>	House T&I Chair DeFazio reiterates opposition to rulemaking on 5.9 GHz spectrum reallocation and urges FCC to reconsider under the Biden-Harris Administration.
	Update	11/18/20		<u>Update</u>	FCC votes to move forward with rulemaking on 5.9 GHz spectrum reallocation.
	Letter	11/06/20		<u>Letter</u>	USDOT urges FCC postpone to vote on 5.9 GHz spectrum reallocation to analyze safety risks for transportation.
	Letter	10/30/20		<u>Letter</u>	House T&I Chair and Ranking Member request GAO study on safety impacts of 5.9 GHz spectrum reallocation.
	Extension of comment period	03/25/20		<u>Announcement</u>	FCC extends comment period for 5.9 GHz spectrum NPRM. Comments now due 04/27/20.
	Proposed rule	02/06/20		<u>6841(85)</u>	FCC proposes to reallocate portions of the 5.9 GHz spectrum currently restricted to transportation safety communication services to allow unlicensed uses. Comments due 03/09/20.
	Update	01/22/20		<u>Letter</u>	38 legislators call on FCC to maintain the full 5.9 GHz spectrum for transportation usage.
FRA	Notice of funding opportunity	08/31/20	Notice of Funding Opportunity for Consolidated Rail Infrastructure and Safety Improvements Keywords: <i>Rail; Transportation Infrastructure Funding/Financing</i>	<u>48798(86)</u>	FRA solicits applications for the CRISI grant program, due 11/29/21.

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FRA	Final rule	07/27/21	FRA-2011-0028 (also FRA-2008-0132): Positive Train Control Systems <i>Keywords: Rail, Safety, Positive Train Control (PTC)</i>	<u>40154(86)</u>	FRA issues final rule revising regulations governing changes to PTC systems and reporting on PTC system performance. Effective 08/26/21.
	Notice of availability and request for comments	06/11/21		<u>31370(86)</u>	FRA solicits comments on requests for amendments to FRA-approved Positive Train Control Safety Plans submitted by 3 host railroads, due 06/21/21.
	Notice of availability and request for comments	05/26/21		<u>28435(86)</u>	FRA solicits comments on requests for amendments to FRA-approved Positive Train Control Safety Plans submitted by 19 host railroads, due 06/07/21.
	Notice of proposed rulemaking (NPRM)	12/18/20		<u>82400(85)</u>	FRA proposes changes to PTC system and reporting requirements to enhance system operability and oversight. Comments due 02/16/21.
	Report	04/30/20		<u>Report</u>	GAO issues report on the progress of PTC implementation in the railroad industry.
	Notice of Information Collection Request; request for comment	03/16/20		<u>15022(85)</u>	FRA announces 30-day comment period on revised Quarterly Positive Train Control Progress Report and Annual Positive Train Control Progress Report. Comments due 04/15/20.
	Notice of Information Collection Request; request for comment	12/30/19		<u>72121(84)</u>	FRA seeks OMB approval for an ICR proposing minor revisions to its Quarterly Positive Train Control Progress Report and Annual Positive Train Control Progress Report. Comments due 02/28/20.

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	Update	12/31/18		<u>Announcement</u>	All 41 railroads subject to the 12/31/18 PTC implementation deadline have submitted documentation indicating they either meet the statutory PTC requirements or have filed for an extension.
	Notice of Information Collection Request; request for comment	08/08/18		<u>39152 (83)</u>	FRA seeks OMB approval for an ICR proposing revisions to its Quarterly Positive Train Control Progress Report and Annual Positive Train Control Progress Report.
	Final Rule	02/29/16		<u>10126(81)</u>	FRA amends its regulations to address changes in deadlines for PTC implementation, effective 04/29/16.
	Final Rule	08/22/14		<u>49693(79)</u>	FRA amends the exception to the requirement to install a PTC system for freight-only track segments that present a de minimis safety risk. Rule also adds a new exception for PTC-unequipped freight trains associated with certain freight yard operations to operate within PTC systems. Effective 10/21/14.
	Final Rule	08/20/13		<u>51078 (78)</u>	STB issued a final rule mandating Class I's file expenses associated with PTC separately from other capital and operating expenditures so the Board is able to track PTC costs more efficiently.
FRA	Announcement of public meeting	03/31/21	[Docket No. FRA-2021-0039, Notice No. 1] Public Meeting on Railroad Safety Advisory Committee Process <i>Keywords: Rail; Safety</i>	<u>16834(86)</u>	FRA will hold a public meeting 04/16/21 to discuss recommendations to improve the efficiency and

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					effectiveness of the Railroad Safety Advisory Committee.
FRA	Emergency Order	03/01/21	Emergency Order Requiring Face Mask Use in Railroad Operations <i>Keywords: Rail; Safety</i>	11888(86)	FRA issues Emergency Order mandating that face masks be worn during all freight and passenger rail operations under FRA's jurisdiction.
FRA	Opinion	02/23/21	California, Nevada, and Washington v. Federal Railroad Administration – Crew Size Requirements <i>Keywords: Rail; Crew Size</i>	Opinion	U.S. Court of Appeals for the 9 th Circuit vacates FRA's 2019 order that withdrew minimum crew size NPRM and preempted state laws.
FRA	Notice of Proposed Rulemaking	12/22/20	Fatigue Risk Management Programs for Certain Passenger and Freight Railroads <i>Keywords: Safety (truck, rail, ocean carrier); Rail</i>	83484 (85)	FRA proposes a rule requiring certain railroads, including Class I railroads and railroads with inadequate safety performance, to develop and implement a Fatigue Risk Management Program. Comments due 02/22/21.
FRA	Petition for Waiver of Compliance	12/17/20	Relief in FRA Emergency Docket FRA-2020-0002 related to Coronavirus Disease 2019 (COVID-19) <i>Keywords: Rail, Safety</i>	82027(85)	BLET and SMART TD petition FRA to extend previous emergency waiver from certain safety and reporting regulations. Comments due 01/19/21.
	Petition for Waiver of Compliance	07/10/20		47467(85)	AAR and ASLRRRA petition FRA to extend waiver of safety provisions. Comments due 09/04/20.
	Extension of waiver	05/22/20		Announcement	FRA extends emergency waiver of certain safety requirements, now effective until 07/21/20.
	Grant of waiver	03/25/20		Announcement	FRA grants petition by AAR, ASLRRRA, and APTA to temporarily waive certain safety requirements as a result of COVID-19, effective 03/25/20 until 05/24/20.

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FRA	Final rule; technical amendment	12/15/20	FRA-2018-0053: Qualification and Certification of Locomotive Engineers; Miscellaneous Revisions <i>Keywords: Rail</i>	<u>81290(85)</u>	FRA revises qualification and certification requirements for locomotive engineers, effective 01/14/21.
	Notice of proposed rulemaking	05/09/19		<u>20472(84)</u>	FRA proposes to revise its regulation governing the qualification and certification of locomotive engineers to make it consistent with regulations for conductors.
FRA	Final rule	12/14/20	State Highway-Rail Grade Crossing Action Plans <i>Keywords: Rail; Safety</i>	<u>80648(85)</u>	FRA issues final rule requiring states develop and update highway-rail grade crossing action plans, effective 01/13/21.
FRA	Final rule	12/11/20	Miscellaneous Amendments to Brake System Safety Standards and Codification of Waivers <i>Keywords: Rail; Safety</i>	<u>80544(85)</u>	FRA revises procedures for rail brake testing and inspection, effective 12/11/20.
	Notice of proposed rulemaking	12/19/19		<u>2494(85)</u>	FRA proposes changes to its regulations governing rail brake inspections and testing. Comments due 03/16/20.
FRA	Notice of Safety Advisory	04/10/20	Federal Railroad Administration Safety Advisory 2020-01; Safety Precautions Related to Coronavirus Disease 2019 (COVID-19) <i>Keywords: Rail, Safety</i>	<u>20335(85)</u>	FRA issues Safety Advisory for railroads, employees, and contractors to develop safety measures in compliance with COVID-19 guidance from the CDC, White House, and OSHA.
FRA	Final rule	02/18/20	[Docket No. FRA-2009-0038, Notice No. 7] Risk Reduction Program <i>Keywords: Rail, Safety</i>	<u>9262(85)</u>	FRA issues final rule requiring Class I and each freight railroad with inadequate safety performance to file a Risk Reduction Program. The final rule is effective 04/20/20.
FRA	Notice of information collection; request for comment	09/20/19	FRA-2019-0004-N-10 Proposed Agency Information Collection Activities; Comment Request <i>Keywords: Rail</i>	<u>49611(84)</u>	FRA responds to comments on proposed information collection and adjusts response burden estimates.

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	Notice of information collection; request for comment	06/14/19		<u>27832(84)</u>	FRA proposes an information collection of data to determine the locations, times, and impacts of blocked highway-rail crossings.
GAO	Letter	05/12/21	Study on Impacts of Precision Scheduled Railroading (PSR) Implementation <i>Keywords: Rail</i>	<u>Letter</u>	House T&I leaders request GAO conduct study on the impacts of precision scheduled railroading.
GAO	Report	03/08/21	Commercial Shipping: Information on How Intermodal Chassis Are Made Available and the Federal Government's Oversight Role <i>Keywords: Chassis; Intermodal</i>	<u>Report</u>	GAO publishes congressionally mandated report on intermodal chassis.
HHS	Notification of mandatory guidelines	9/10/20	Mandatory Guidelines for Federal Workplace Drug Testing Programs <i>Keywords: Truck; Safety</i>	<u>56108(85)</u>	HHS proposes guidelines for the use of hair specimens for pre-employment and random drug testing. Comments due 11/09/20.
MARAD	Update	08/19/21	Notice of Funding Opportunity for America's Marine Highway Projects <i>Keywords: Ports, Cargo, Freight</i>	<u>Update</u>	MARAD designates 6 new Marine Highway Projects and a new Marine Highway Route under its AMHP.
	Notice of funding opportunity	05/25/21		<u>27944(86)</u>	MARAD solicits applications for America's Marine Highway Program grants, due 06/25/21.
MARAD	Notice of solicitation for membership	01/08/21	U.S. Maritime Transportation System National Advisory Committee <i>Keywords: Ports, Cargo, Freight</i>	<u>1576(86)</u>	MARAD solicits nominations for Maritime Transportation System National Advisory Committee (MTSNAC), due 02/08/21.
MARAD	Notice	12/12/19	[Docket No. MARAD-2019-0147] Deepwater Port Pre-Application Meeting Guidance <i>Keywords: Ports</i>	<u>68009(84)</u>	MARAD issues policy notice encouraging prospective applicants for deepwater port licenses to meet with MARAD and USCG staff prior to submitting applications.
MARAD	Request for Information	08/02/19	MARAD-2019-0121 Request for Information on Opportunities, Challenges and Impacts of Automated Transportation in a Port Environment <i>Keywords: Ports</i>	<u>37951(84)</u>	MARAD solicits views on a range of issues related to the safety effects, opportunities, challenges and impacts of automated transportation in a port environment.

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MARAD	Notice	03/1/19	Marine Highway Projects Open Season <i>Keywords: Ports, Cargo, Freight</i>	<u>7168(84)</u>	MARAD extends the open season for Marine Highway Project Designation submissions to 01/31/22.
	Notice and request for comments	03/14/17		<u>13737(82)</u>	MARAD is requesting comments on the burden estimate of its information collection used to evaluate applications being submitted for project designation.
New Jersey	Announcement	07/08/21	Employee Classification Legislation <i>Keywords: Employee Driver Mandates; Intermodal; Trucks</i>	<u>Announcement</u>	Gov. Murphy signs three bills related to employee classification, strengthening state oversight and the ability to impose penalties for misclassification.
	Announcement	01/20/20		<u>Announcement</u>	Gov. Murphy signs six bills related to employee classification, strengthening state oversight and the ability to impose penalties for misclassification.
NLRB	Announcement	09/10/19	Contract Coverage Standard for Determining Violation of NLRB <i>Keywords: Employee Driver Mandates</i>	<u>Announcement</u>	NLRB adopts “contract coverage” standard to determine if a unionized employer’s change of employment violates the National Labor Relations Act.
NLRB	Announcement	08/29/19	NLRB Returns to Long-Standing Independent-Contractor Standard <i>Keywords: Employee Driver Mandates</i>	<u>Announcement</u>	NLRB holds that the misclassification of employees as independent contractors does not violate the National Labor Relations Act.
	Announcement	01/25/19		<u>Announcement</u>	NLRB reaffirms its adherence to the traditional common-law test to determine if an employee is an independent-contract and clarifies the role entrepreneurial opportunity makes in such a determination.
Railroad Retirement Board	Interim final rule	04/07/20	20 CFR Part 327 RIN 3220–AB75 Available for Work <i>Keywords: Rail</i>	<u>19386(85)</u>	Railroad Retirement Board amends its definition of “available for work” to distribute unemployment benefits to

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					railroad employees out of work due to COVID-19, effective 04/03/20.
TSA/DHS	Amendment	05/04/21	Security Training for Surface Transportation Employees <i>Keywords: Rail; Safety</i>	23629(86)	TSA extends compliance date of security training final rule to 06/21/21.
	Amendment	10/26/20		67681(85)	TSA extends compliance date of security training final rule to 03/22/21.
	Final rule	03/23/20		16456(85)	TSA issues final rule requiring 33 freight railroads, including all Class I carriers to conduct security training for employees, effective 06/22/20.
TSA/DHS	Information Collection	02/24/21	[Docket No. TSA-2006-24191] – Revision of Agency Information Collection Activity Under OMB Review: Transportation Worker Identification Credential (TWIC) Program <i>Keywords: Transportation Worker Identification Credentials (TWIC)</i>	11323(86)	TSA requests approval to extend its information collection for TWIC enrollment. Comments due 03/26/21.
TSA/DHS	Notice of temporary exemption	04/15/20	Exemption To Extend the Expiration Date of Certain Transportation Worker Identification Credentials <i>Keywords: Transportation Worker Identification Credentials (TWIC); Safety</i>	21017(85)	TSA extends expiration date for TWICs expired on or before 03/01/20 by 180 days. The temporary exemption is effective 04/10/20-07/31/20.
U.S. Coast Guard	Thirty-day notice requesting comments	10/15/20	[Docket No. USCG-2017-0711] TWIC – Reader Requirements; Delay of Effective Date <i>Keywords: Transportation Worker ID Card (TWIC)</i>	65417(85)	USCG seeks approval for new information collection to determine the deployment of electronic TWIC inspection at maritime facilities. Comments due 11/16/20.
	Sixty-day notice requesting comments	08/03/20		46684(85)	USCG seeks approval for new information collection to determine the deployment of electronic TWIC inspection at maritime facilities. Comments due 10/02/20.
	Final rule	03/09/20		13493(85)	USCG implements three-year delay of the TWIC Reader Requirements final

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	Notice of proposed rulemaking	06/22/18		<u>29067(83)</u>	rule for three categories of facilities. Effective 05/08/20. USCG proposes delaying the TWIC Reader Requirements final rule by three years for two categories of facilities.
U.S. Coast Guard	Request for information (RFI)	08/11/20	Request for Information on Integration of Automated and Autonomous Commercial Vessels and Vessel Technologies Into the Maritime Transportation System <i>Keywords: Intermodal; Freight</i>	<u>48548(85)</u>	USCG issues request for information on the deployment of automated and autonomous technology aboard commercial vessels. Comments due 10/13/20.
U.S. Coast Guard	Thirty-day notice requesting comments	11/04/19	[Docket No. USCG-2019-0703] Information Collection Request to Office of Management and Budget; OMB Control Number: 1625-NEW <i>Keywords: Intermodal; Freight</i>	<u>59397(84)</u>	USCG seeks approval for new information collection to provide container operators with cargo inspection results. Comments due 12/04/19.
USITC	Notice	10/05/21	Freight Rail Coupler Systems and Components From China; Institution of Anti-Dumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations <i>Keywords: Intermodal; Freight; Rail</i>	<u>54997(86)</u>	USITC initiates antidumping and countervailing duty investigations into imported freight rail coupler systems and components thereof from China.
USITC/ DOC	Notice	07/08/21	Chassis From China; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations <i>Keywords: Intermodal; Chassis</i>	<u>36093(86)</u>	DOC issues antidumping order on certain chassis and subassemblies thereof from China.
	Notice	07/08/21		<u>36158(86)</u>	USITC issues final affirmative determination that chassis from China are being sold in the United States at less than fair value.
	Notice	05/28/21		<u>28893(86)</u>	USITC issues supplemental schedule for final phase of its antidumping investigation. Supplemental party comments on DOC's final antidumping duty determination due 06/04/21.

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	Notice	05/17/21		<u>26694(86)</u>	DOC issues final affirmative determination that chassis from China are being sold in the United States at less than fair value.
	Notice	05/10/21		<u>24844(86)</u>	DOC issues countervailing duty order on imported chassis from China.
	Notice	05/07/21		<u>24665(86)</u>	USITC issues final affirmative countervailing duty determination in investigation of imported chassis from China.
	Notice	03/13/21		<u>15186(86)</u>	DOC issues final determination that countervailable subsidies are being provided to Chinese producers and exporters of chassis at a rate of 39.14 percent.
	Notice	03/04/21		<u>12616(86)</u>	DOC issues preliminary affirmative determination that chassis from China are being sold in the United States at less than fair value at an estimated weighted average dumping margin of 188.05 percent.
	Correction of notice	01/29/21		<u>7559(86)</u>	USITC issues corrections to deadlines for posthearing briefs statements, the date of record closing, and final comments.
	Notice	01/14/21		<u>3193(86)</u>	USITC begins final phase of antidumping and countervailing duty investigations and announces hearing to take place on 03/16/21.

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	Notice	01/04/21		<u>56(86)</u>	DOC issues preliminary determination that countervailable subsidies are being provided to Chinese producers and exporters of chassis at a rate of 38.52 percent.
	Update	10/29/20		<u>68559(85)</u>	DOC approves petitioners' request to postpone preliminary antidumping determination, now due 02/25/21.
	Update	10/07/20		<u>63251(85)</u>	DOC grants petitioners' request to postpone preliminary countervailing duty determination, now due 12/28/20.
	Report	09/21/20		<u>Report</u>	USITC releases report on preliminary investigation findings and determinations regarding imported chassis and subassemblies from China.
	Notice	09/18/20		<u>58386(85)</u>	USTIC finds reasonable indication of material injury to U.S. by imported chassis and subassemblies from China and will now begin final phase of investigation.
	Notice	08/05/20		<u>47400(85)</u>	USITC initiates preliminary antidumping and countervailing duty investigation of imported chassis and subassemblies from China, in response to petition by the Coalition of American Chassis Manufacturers.
USITC/ DOC	Notice	05/10/19	Truck and Bus Tires From China; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations <i>Keywords: Truck</i>	<u>20616(84)</u>	DOC revokes antidumping duty and countervailing duty orders on certain new pneumatic off-the-road tires from China, effective 02/04/19.

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	Notice	02/04/16		6042(81)	The International Trade Commission has initiated antidumping and countervailing duty investigations of truck tires from China.
USDOT/ NHTSA	Notice and request for comments on a request for approval of a new collection of information	05/24/21	[Docket No. NHTSA-2018-0021] Federal Motor Vehicle Safety Standard No. 111, Rear Visibility 54533(84) <i>Keywords: Safety; Truck</i>	27952(86)	NHTSA seeks OMB approval to study safety of camera-based rear visibility systems intended to serve as a replacement for traditional mirrors. Comments due 07/23/21.
	Advanced noticed of proposed rulemaking	10/10/19		54533(84)	NHTSA seeks comments on allowing CMS for rear visibility instead of rearview mirrors on both light vehicles and heavy-duty trucks. Comments due 12/09/19.
USDOT/ NHTSA	Advanced notice of proposed rulemaking; extension of comment period	01/29/21	Federal Automated Vehicles Policy <i>Keywords: Safety; Truck</i>	7523(86)	NHTSA extends comment period on proposed framework for ADS, now due 04/01/21.
	Notice of request for comments	01/21/21		6410(86)	USDOT publishes updated Federal guidance for automated vehicles, building on previous versions released in 2019, 2018, and 2017. Comments due 03/22/21.
	Final rule	01/14/21		Final rule	NHTSA amends certain Federal Motor Vehicle Safety Standards to exempt trucks without designated seating positions from occupant protection crashworthiness requirements.
	Advance notice of proposed rulemaking	12/03/20		78058(85)	NHTSA seeks comments on the development of framework to objectively define, assess, and

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	Notice of proposed rulemaking	03/30/20		17624(85)	manage the safety of ADS performance, due 02/01/20. NHSTA proposes changes to certain Federal Motor Vehicle Safety Standards applicable to automated vehicles exempting trucks without designated seating positions from occupant protection crashworthiness requirements. Comments due 05/29/20.
	Notice of request for comments	02/06/20		7011(85)	USDOT releases updated Federal policy guidance for automated vehicles, building on iterations published in 2017 and 2018. Comments due 04/02/20.
	Advanced notice of proposed rulemaking	05/28/19		24433(84)	NHTSA seeks comments on existing Federal Motor Vehicle Safety Standards that could pose a barrier to automated vehicle deployment.
	Announcement	10/04/18		Guidance	DOT releases updated Federal policy guidance for automated vehicles to supplement September 2017 guidance.
	Announcement	09/12/17		Guidance	NHTSA issues updated Federal policy for automated vehicles to replace September 2016 guidance.
USDOT/ NHTSA	Report	04/15/19	Truck Underride Guards: Improved Data Collection, Inspections, and Research Needed <i>Keywords: Truck</i>	Report	GAO publishes report providing recommendations to NHTSA on truck underride guard data collection.
USDOT/ NHTSA/ EPA	Update	08/05/21	[EPA-HQ-OAR-2014-0827; NHTSA-2014- 0132; FRL-9927-21-OAR] Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles– Phase 2 <i>Keywords: Emissions; Fuel Standards</i>	Fact Sheet	EPA publishes fact sheet for Clean Trucks Plan.
	Advanced notice of proposed rulemaking	01/21/20		3306(85)	EPA issues ANPRM to develop the Cleaner Trucks Initiative, establishing

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	Update	12/26/19		<u>Decision</u>	new standards for heavy-duty vehicle NOx emissions. Comments due 02/20/20. U.S. Court of Appeals for D.C. lifts abeyance on TTMA's lawsuit challenging GHG Phase 2 Rule application to trailers.
	Report	12/05/19		<u>Report</u>	EPA OIG publishes report on the proposed Glider Repeal Rule to exempt glider trucks from Phase 2 requirements, finding that the EPA did not comply with several regulatory requirements and that their actions lacked transparency
	Report	10/18/19		<u>Report</u>	NAS publishes final report on GHG Phase 2 Rule.
	Update	10/27/17		<u>Update</u>	U.S. Court of Appeals for D.C. grants a stay on the implementation of trailer portion of the GHG Phase 2 Rule.
	Final rule	10/25/16		<u>73478(81)</u>	DOT, NHTSA and EPA establish rules to reduce GHG emissions and fuel consumption for new on-road medium- and heavy-duty vehicles and engines. Applies to combination tractors, trailers used in combination with those tractors, and includes separate standards for engines. Effective 12/27/16.
USDOT	Report	04/23/20	Discretionary Transportation Grants: Actions Needed to Improve Consistency and Transparency in DOT's Application Evaluations	<u>Report</u>	GAO issues report on USDOT's status in implementing previous recommendations and provides 8 new recommendations.

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	Report	07/18/19	<i>Keywords: Transportation Infrastructure Funding/Financing</i>	<u>Report</u>	GAO publishes report providing recommendations to USDOT on improving consistency and transparency of the INFRA grant application review process.
USTR	Report	09/15/20	[Docket Numbers USTR–2018–0018 and USTR-2018-0026] Notice of Action and Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301: China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation <i>Keywords: Intermodal; Shipping Containers; Chassis</i>	<u>Report</u>	WTO panel issues report concluding imposed tariff on \$234 billion of Chinese goods violate international trade laws.
	Announcement	1/15/20		<u>Announcement</u>	President Trump signs Phase One trade agreement; chassis remain subject to tariffs.
	30-day notice with a request for comments	11/01/19		<u>58802(84)</u>	USTR requests a three-year renewal of its ICR for tariff exclusion requests. Comments due 12/02/19.
	Update	10/11/19		<u>Announcement</u>	USTR suspends tariff increase proposed on 09/03/19 on \$250 billion of Chinese goods, including chassis and pneumatic tires, until further notice.
	Notice of modification of action	05/09/19		<u>20459(84)</u>	USTR increases tariff from 10 percent to 25 percent on \$200 billion of Chinese goods, including chassis and pneumatic tires, effective 05/10/19.
	Announcement	09/17/18		<u>Announcement</u>	USTR publishes finalized \$200 billion tariff list and announces the list will be subject to a 10 percent tariff starting 09/14/18, Chassis produced in China are subject to the duty.