

Time to Get Moving: Transportation and Coast Guard Regulatory Reform Opportunities

The U.S. Department of Transportation (DOT) and the U.S. Coast Guard (USCG) will publish notices on June 8, 2017, soliciting public comments to help shape their regulatory reform efforts under Executive Order (EO) 13771, Reducing Regulation and Controlling Regulatory Costs, and EO 13777, Enforcing the Regulatory Reform Agenda.

DOT is requesting stakeholder input on existing policy statements, guidance documents, and regulations that unjustifiably delay or prevent the completion of surface, maritime, and aviation transportation infrastructure projects. The policies, guidance documents, and regulations of all modal administrations that regulate or fund transportation infrastructure projects, including the Maritime Administration (MARAD), Federal Aviation Administration (FAA), and Pipeline and Hazardous Materials Safety Administration (PHMSA), are included in the reform efforts. While the request's primary focus is administrative items within DOT's authority, the department will also accept legislative proposals that exhaust all potential administrative options. Comments are due to DOT no later than July 24.

Similarly, the USCG is seeking comments on regulations, guidance documents, and interpretative documents that: (i) eliminate jobs; (ii) are outdated, unnecessary, or ineffective; (iii) impose costs that exceed benefits; (iv) interfere with regulatory reform initiatives and policies; (v) rely on data, information, or methods that are not publicly available; or (vi) implement EOs that have been rescinded or modified. Additionally, consistent with EO 13783, Promoting Energy Independence and Economic Growth, the USCG requests specific recommendations on existing regulations, orders, guidance documents, and policies that burden the development or use of domestically produced energy resources, particularly oil, natural gas, coal, and nuclear energy. Comments are due to the USCG by July 10.

These notices create a significant opportunity for stakeholders to shape the way in which both transportation infrastructure projects and the maritime industry are regulated in the United States. The short comment periods for both notices require that interested parties act now in an effort to effect long-term change in these two critical areas.

This update is for general informational purposes only and does not constitute, nor should it substitute for, legal advice. If you have any questions about the content of this Alert, please contact a member of Cozen O'Connor's Maritime Regulatory Practice.



Geoffrey D. Ferrer

**Co-Vice Chair,
Transportation
& Trade**

gferrer@cozen.com
Phone: (212) 908-1201
Fax: (212) 509-9492



Jeff R. Vogel

**Co-Chair,
Government
Contracts**

jvogel@cozen.com
Phone: (202) 304-1453
Fax: (202) 861-1905

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