

Subject: U.S. DEPARTMENT OF TRANSPORTATION'S NONTRADITIONAL AND EMERGING TRANSPORTATION TECHNOLOGY COUNCIL

1. PURPOSE. This Order updates the responsibilities and duties of the U.S. Department of Transportation's (DOT or Department) Nontraditional and Emerging Transportation Technology (NETT) Council.
2. CANCELLATIONS.
 - a. DOT 1120.34, U.S. Department of Transportation's Non-traditional and Emerging Transportation Technology Council, dated December 11, 2018.
3. REFERENCES.
 - a. 49 U.S.C. 313, Nontraditional and Emerging Transportation Technology Council
4. EXPLANATION OF CHANGES.
 - a. This Order implements the following changes:
 - 1) Adds the Assistant Secretary for Transportation Policy and a Policy Advisor for Labor to the council membership;
 - 2) Requires members to "assess projects that have been brought to the Department's attention by stakeholders;"
 - 3) Adjusts the frequency for council and working group meetings;
 - 4) Requires the annual publication of a report describing the activities of the NETT Council; and
 - 5) Updates to align with the requirements for organizational-structure directives under DOT Order 1320.16D.
5. MISSION.
 - a. The mission of the Council is to address coordination on emerging technology issues across all modes of transportation.
6. FUNCTIONS. The NETT Council shall:
 - a. Identify and resolve jurisdictional and regulatory gaps or inconsistencies associated with non-traditional and emerging transportation technology, modes, or projects brought before DOT to reduce, to the maximum extent practicable, impediments to the prompt and safe deployment of new innovative transportation technology, including with respect to:
 - 1) Safety oversight;

- 2) Environmental review; and
 - 3) Funding and financing issues.
- b. Coordinate the response of the Department of Transportation to NETT projects.
 - c. Engage with stakeholders in NETT projects.
 - d. Develop and establish Department-wide processes, solutions, and best practices for identifying and managing NETT projects.

7. ORGANIZATION.

- a. The NETT Council’s mission and functions are carried out through the Council membership, the chair, and working groups.
- b. NETT Council Membership
 - 1) The NETT Council shall consist of the following members, or their designees:
 - a) Secretary of Transportation
 - b) Deputy Secretary of Transportation (Chair)
 - c) Under Secretary of Transportation for Policy (Vice Chair)
 - d) Assistant Secretary for Transportation Policy
 - e) Assistant Secretary for Research and Technology
 - f) Assistant Secretary for Budget and Programs
 - g) General Counsel
 - h) Chief Information Officer
 - i) Assistant Secretary for Government Affairs
 - j) Director of Public Affairs
 - k) Administrators from the Operating Administrations:
 - i. Federal Aviation Administration
 - ii. Federal Highway Administration
 - iii. Federal Motor Carrier Safety Administration
 - iv. Federal Railroad Administration
 - v. Federal Transit Administration
 - vi. Maritime Administration
 - vii. National Highway Traffic Safety Administration
 - viii. Pipeline and Hazardous Materials Safety Administration
 - l) Policy Advisor for Labor
 - m) Additional members may be added at the discretion of the Secretary or the Chair (e.g., Senior Advisor to the Secretary for Innovation)
 - 2) Duties of the NETT Council Members. Members of the NETT Council shall:
 - a) Participate in all meetings and be prepared to share their experiences, challenges, and insights related to their work on NETT projects.

- b) Recommend projects to the Chair for consideration by the NETT Council that warrant the establishment of a project-specific working group.
- c) Assess projects that have been brought to the Department's attention by stakeholders.
- d) Work to resolve swiftly and amicably any intermodal disagreements over the Department's role in relation to NETT projects.
- e) Identify statutory, regulatory, policy, funding and financing, and environmental review issues that may represent impediments to timely project implementation, and identify potential solutions or mitigation measures.

c. Chair

- 1) For each project identified as a NETT Council project under review or consideration, the Chair shall:
 - a) Assign a working group comprised of NETT Council members (or their designees) as determined by the Chair to be relevant to the project;
 - b) Establish a meeting schedule for the working group;
 - c) Designate a lead mode (with due consideration of the Federal actions involved, if any) and arrange for the detailing of staff between modes or to OST as needed to maximize the sharing of experience and expertise; and
 - d) Provide periodic updates to the Secretary, and as requested.

d. Working Groups

- a) Working groups, assigned by the Chair, will meet on an as needed basis to accomplish the goals set out for them by the Chair
- b) Prior to each full Council meeting, and as requested by the Chair or the Secretary, each Working Group shall provide a report to the Chair on the status of the project, including issues that have been resolved and all outstanding issues.

8. MEETINGS.

- a. The NETT Council shall hold a meeting no less than four times per year, at the call of the Chair.
- b. For each meeting, the Chair shall circulate an agenda and a summary of the

work performed and actions taken by each of the working groups for discussion at the meeting.

9. WORK PRODUCT/ DELIVERABLES.

- a. Not later than one year after the date of establishment, and not less frequently than annually thereafter until December 31, 2026, the NETT Council shall post on a publicly accessible website a report describing the activities of the NETT Council during the preceding calendar year.