

Vol. 2 | 2023

Infrastructure

THE OFFICIAL MAGAZINE OF THE ASSOCIATED GENERAL CONTRACTORS OF TEXAS

2023

**Management
Conference**

**AGC of Texas
Scholarship
Recipients**

**88th Legislative
Session Highlights**

**Updated Chapter
Office Unveiled**

**AGC of Texas
Workforce
Development Efforts**

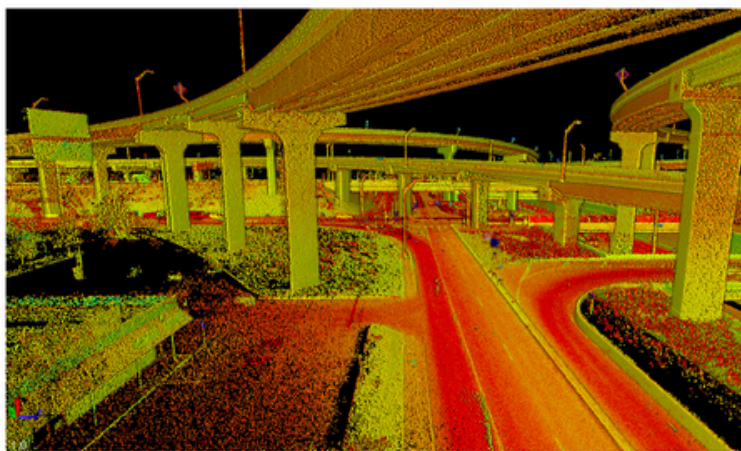




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Facilitating the Future of Highway Transportation

I want to take a moment to reflect on the success of our recent 2023 Management Conference, held in June at the breathtaking Hotel del Coronado.

The conference was a resounding success, bringing together industry leaders, elected officials, and organizational partners from every corner of the state and across the country. Over the course of four days, we engaged in meaningful discussions, forged new connections, and laid the foundation for the future of the highway construction industry in Texas.

The relationships built during the conference are invaluable. The networking opportunities allowed us to learn from one another, share best practices, and reflect on our own organizations and experiences. The conversations sparked during the event will drive innovation and excellence in our industry.

At the heart of the conference was a shared vision for the future of highway construction. The conversations we had illuminated the challenges and opportunities that lie ahead. We discussed the importance of sustainability, the themes and tones of the 88th Legislative Session, the challenges and opportunities to develop the next generation to work in and lead our industry, and the need for robust infrastructure that supports economic growth and enhances the quality of life for all.

As we move forward, the insights gained from the Management Conference will guide our association's initiatives and priorities. We will leverage these learnings to shape our programs and events, ensuring they align with the ever-

evolving needs of our industry. By fostering an environment of collaboration and open dialogue, we can collectively overcome challenges and seize new opportunities.

The success of the 2023 Management Conference is a testament to the strength of our association and its members. It demonstrates our shared commitment to excellence and continuous improvement. I encourage each of you to stay actively engaged in our association's activities, as your contributions and expertise are invaluable to our collective progress.

In conclusion, I want to express my gratitude for your continued support and dedication to our association. Your commitment drives us forward, and I am excited about the possibilities that the future holds.

Together, let us build on the momentum of the 2023 Management Conference, strengthening our association and laying the foundation for a future of innovation and success in highway construction. I look forward to celebrating our achievements and reflecting on all we have accomplished as an association and an industry when we gather for the 2024 Management Conference at the astonishing Broadmoor Resort in Colorado Springs.



Stacey Bryant
AGC of Texas President

Overviewing the 88th Legislative Session

The recent legislative session produced several key measures enhancing transportation, infrastructure, and sustainability in Texas and will have a profound impact on our industry and the state as a whole.

The Texas Department of Transportation (TxDOT) was a major focus of legislative efforts securing more than \$32 billion in funding for the design, construction, and maintenance of the state highway system. The legislature appropriated over \$580 million for the construction and maintenance of rail, public transportation, and general aviation projects. An additional \$600 million has been designated for the construction of maritime port infrastructure projects which are vital for promoting economic growth and international trade. To support these efforts, the legislature approved an increase of 349 full-time equivalents (FTEs) to enhance the Department's capabilities to manage projects efficiently.

Propositions 1 and 7, constituting approximately 40 percent of TxDOT funding in the Unified Transportation Program (UTP), have been extended to 2042 and will continue to play a pivotal role in supporting the funding of transportation projects.

The sustainable funding of our state's infrastructure is further supported through the creation of an electric vehicle registration fee. This measure includes a \$400 initial registration fee and a \$200 annual renewal fee for electric vehicles with the generated funds being dedicated to the State Highway Fund.

To address our state's water and flood infrastructure challenges, more than \$1 billion has

been allocated for critical flood infrastructure projects. In November, there will be a constitutional amendment on the ballot to approve \$1 billion for new water infrastructure projects, safeguarding our water resources for future generations.

The Texas Commission on Environmental Quality (TCEQ) Sunset Legislation brings notable reforms to the agency which has been continued for 12 years. The creation of a specific concrete batch plant permit for public works projects will facilitate increased public participation in the permit application process. The TCEQ Complaint Reform also aims to improve efficiency in the agency's investigations.

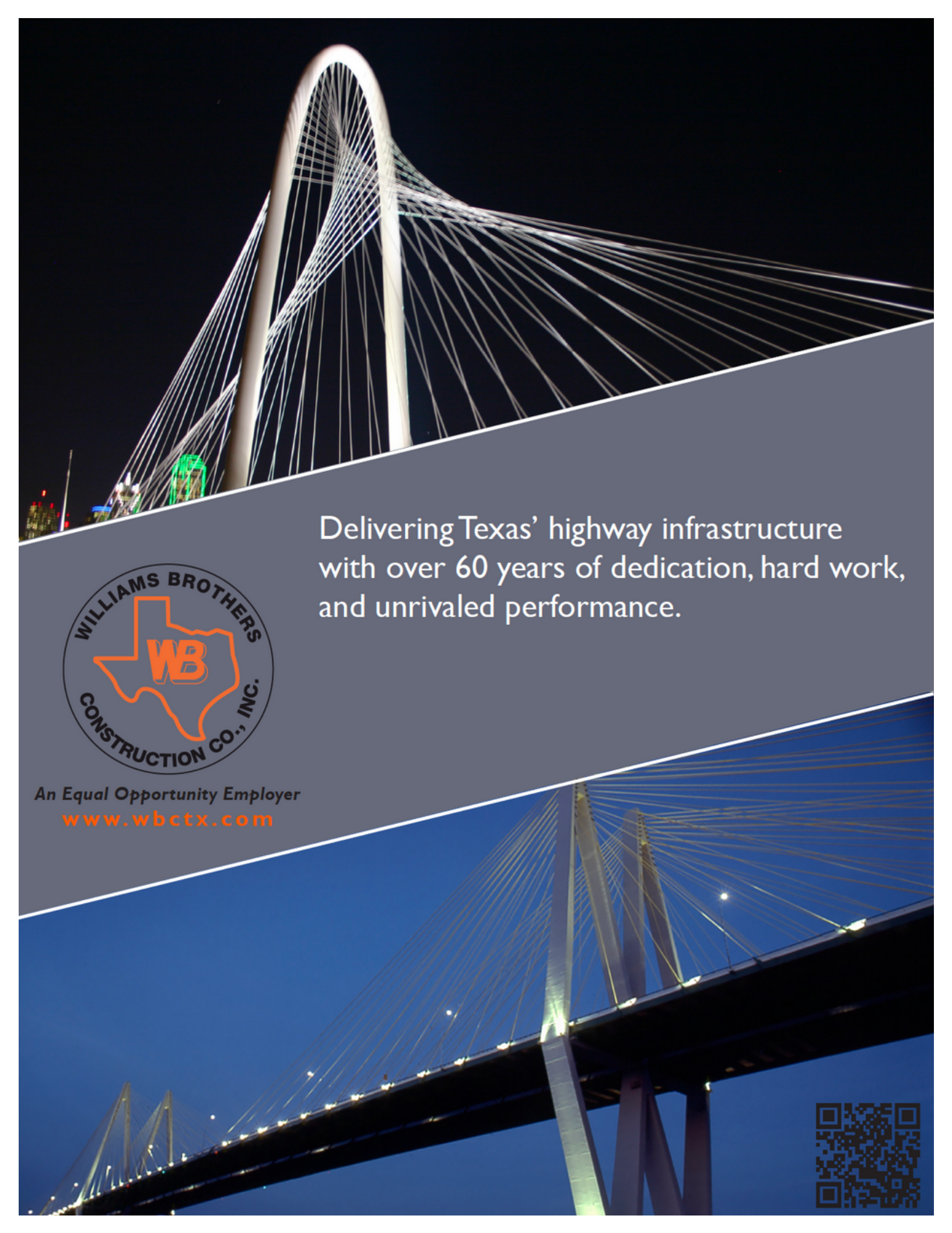
In support of workforce development efforts, the process for individuals seeking a Texas CDL has been amended to ease restrictions for individuals holding a CDL from a different state.

Furthermore, the Lone Star Workforce of the Future Fund and grant program has been created to foster a supply of qualified workers for high-demand occupations, promoting economic growth and creating opportunities for our workforce.

These legislative highlights reflect our state's commitment to progress and prosperity. As members of AGC of Texas, your dedication and involvement are vital in shaping the future of our industry and Texas.



Jennifer Woodard
Chief Executive Officer
AGC of Texas



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AGC of Texas Unveils Updated Chapter Office

Gary Scharrer, AGC of Texas

AGC staff began moving into the chapter's newly renovated offices in late May with a planned August open house to celebrate the modern make-over of the 43-year-old building.

As with many major construction projects, the renovation of the AGC of Texas chapter office encountered multiple unanticipated delays that stalled completion by several months. But the finished project offers a modern office with an efficient flow, organized workspace and a larger, improved board room and meeting area.

"It's very functional. It's very well done. It exceeds expectations," longtime AGC leader Johnny Weisman (Hunter Industries) said during the June board of directors meeting. He described the new office as "beautiful."

"We all owe a lot to Jennifer for managing this project. It now exemplifies our organization," Weisman said, as members applauded.

"My goal was to have a space that you'll be proud of because you deserve that. And I wanted it to reflect what I believe this organization is about – and that's class and professionalism."

Gone are the heavy, out-of-date olive-green drapes that created a dreary atmosphere for the boardroom. The columns in the middle of the second floor left a lot of unused open space. That floor is now considerably more efficient, with 12 offices, a modest conference room, ample storage areas and a large copy/mail room.

The bathrooms in the old building were, if not primitive, cramped, and inadequate. The new first and second-floor restrooms offer a considerable upgrade.

"I thought if I'm going to get fired on the project, it's going to be because the restrooms are really fancy and beautiful," Jennifer, laughing, told AGC members.

"And, you're going to think we busted the budget on those. But it all turned out. Hopefully, you'll be pleased,"

A formal open house will be held on Aug. 14 to coincide with the scheduled board of directors meeting on Aug. 15.

"We'll have some sort of function that will serve as an open house," she said. "We might possibly have a special guest to help us open it and, maybe, do some fundraising because that's typically when we start that. But at that point, we'll do a really nice, beautiful opening."

In the meantime, AGC members are invited to stop by their "new" office for an informal tour.



Construction of the Chapter Office in Downtown Austin. The building was completed in the early 1980s.



Chapter staff began a hybrid/remote work schedule and the office was emptied for construction to begin in the summer of 2022



A few progress photos taken throughout the construction process.



Final touches and furniture arrival began in late spring of 2023.



A sneak peak of the new Chapter Office!



Public Affairs Reception & Ribbon Cutting Ceremony

With Special Guest Senator Robert Nichols,
Chair of the Senate Committee on Transportation

Monday, August 14, 2023 | 4:00 p.m.
300 Barton Springs Rd. Austin, Texas

An RSVP is required to attend this event.
Please contact Tracey Mitnacht at tborders@agctx.org
to learn more about this event and RSVP.

2023 Scholarship Recipients

At the June Membership Luncheon, 30 deserving men and women pursuing careers in the construction industry were awarded AGC of Texas scholarships in the amount of \$5,000 per semester for both undergraduate and vocational students.

The AGC of Texas Scholarship Program would not be possible without the generous support from AGC of Texas members at the Association's Annual Scholarship Gala.

This year's Gala will be held in Austin on the evening of October 18. Learn more on page 17.



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2023 Scholarship Recipients Continued

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Grant Lowry

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The Associated General Contractors of Texas

88th Legislative Session Highlights

FUNDING SOURCES

TxDOT Funding | HB 1

- Over \$32 billion was appropriated to TxDOT for the design, construction, and maintenance of the state highway system
- Increase of 349 full-time equivalents (FTEs) and budget flexibility provided to TxDOT
- Over \$580 million was appropriated for the construction and maintenance of rail, public transportation, and general aviation projects
- \$600 million appropriated for the construction of maritime port infrastructure projects

Water & Flood Infrastructure | HB 1, SB 28, & SJR 75

- Over \$1 billion was appropriated for the design and construction of critical flood infrastructure projects - including \$500 million for the coastal spine project
- A constitutional amendment will be on the ballot in November 2023 to approve \$1 billion in funding for new water infrastructure projects

Proposition 1 & 7 Funding Extension | HB 2230 & SCR 2

- Both constitutionally approved revenue streams for TxDOT were extended until 2042
- Propositions 1 and 7 constitute approximately 40 percent of TxDOT funding in the Unified Transportation Program (UTP)

Electric Vehicle Registration Fee | SB 505

- \$400 initial registration fee and a \$200 annual renewal fee for electric vehicles
- Funding dedicated to the State Highway Fund for the construction and maintenance of the state highway system

LEGAL REFORMS

Creation of a Texas Business Court and Fifteenth Circuit of Appeals | HB 19 & SB 1045

- Establishes a specialized business court with statewide jurisdiction over complex business law cases with more than \$10 million dollars in dispute
- The Fifteenth Circuit of Appeals will have exclusive jurisdiction over appeals of certain civil cases to which the state or a state agency is a party and will also handle appeals of cases when the constitutionality or validity of a statute or state agency rule is challenged

ENVIRONMENTAL REGULATION

Texas Commission on Environmental Quality (TCEQ) Sunset Legislation | SB 1397

- Creates a specific concrete batch plant permit for public works projects
- Increased public participation in the permit application process
- Agency continued for 12 years

Protectiveness Review for Concrete Batch Plants | SB 1399 (Vetoed)

- TCEQ will conduct a protectiveness review of the concrete batch plant air permit every 6 years
- Duration of a concrete batch plant permit reduced from 10 to 6 years

Prohibiting Cities from Regulating Engine Sources or Engines | SB 1017

- Prohibits political subdivisions from adopting ordinances that would limit access to specific fuel sources or prohibit the sale of engines based on their fuel source

State Jurisdiction for Regulation of Greenhouse Gases | SB 784

- Prohibits political subdivisions from enacting ordinances that directly regulate greenhouse gas emissions

TCEQ Complaint Reform | SB 471

- The agency is not required to investigate a complaint made by an individual who has made numerous unsubstantiated complaints about the same alleged nuisance

WORKFORCE DEVELOPMENT

Smoother Pathways to Obtain Texas Commercial Driver's License | HB 1846 & HB 3646

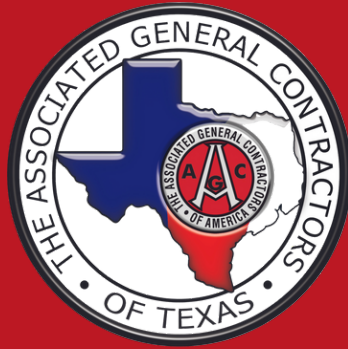
- Requires DPS to allow individuals who hold a commercial driver's license (CDL) from a different state to obtain a Texas CDL
- Eases restrictions and amends the testing procedure for obtaining a CDL

Creation of the Lone Star Workforce of the Future Fund | HB 1755

- Creates the Lone Star Workforce of the Future Fund and grant program to create and sustain a supply of qualified workers for entry-level to mid-level jobs in high demand occupations



THE 1924 CLUB



The 1924 Club: Where "Members Helping Members" Meets "Advocacy Helping Industry"

The 1924 Club provides a space for members to make an annual contribution to the AGC of Texas PAC and receive access to exclusive advocacy updates and opportunities to engage with legislators and statewide officials on behalf of AGC of Texas.

Annual contributions to the 1924 Club must be made with personal funds in the amount of \$1,200 annually or \$600 annually for AGC of Texas members who qualify as an FLC member (2-10 years into their career or under 40 years of age).

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Canales: Finding Future Transportation Funding Solutions Won't Be Easy or Popular

Gary Scharrer, AGC of Texas

Highway construction funding looks promising for the coming years, but the Texas House Transportation Committee chairman warns of headwinds down the road when fuel-powered vehicles go electric.

It will mark the end of more than a century of gas tax revenue funding highway construction.

Even with a \$100 billion transportation funding plan for the next decade, Texas faces huge challenges, two key state legislators emphasized at the AGC of Texas Management Conference.

Population growth keeps driving the need for more and better roads and bridges. The ports, including border crossings, that power much of the state's economic growth need more highway funding. And the uncertainty of replacing gas tax revenue obligates the state to start considering alternatives.

Texas House Transportation Chair Terry Canales, D-Edinberg, and committee member Rep. Trent Ashby, R-Lufkin, gave AGC members plenty to think about after the infrastructure panel discussion. The annual Management Conference (June 19-22) in San Diego attracted 385 AGC members, including 45 children.

Both legislators expect future discussions on how best to replace the fuel tax for road funding. A revenue system based on vehicle miles traveled will be part of that discussion. Canales passed a test version of that concept to see how it might work for truckers willing to participate in the pilot project out of the Texas House. Canales' bill hit a roadblock in the Senate, however.

In addition to converting to a vehicle miles traveled revenue system, Canales also wants truckers to pay more, and he supports allowing heavier trucks to move goods on Texas highways.

"If the truck is safe, I really don't care how much it weighs as long as it's paying for what the pavement consumes. And that should be the battle cry of everybody in this room," Canales told AGC members. "As long as it's safe, eat as much pavement as you want: just pay for it."

Ashby, a veteran East Texas legislator, applauded Canales "for getting the conversation started. It's been a rocky conversation. Our trucking friends did absolutely lose their mind on his bill."

Canales' bill simply called for a voluntary pilot project to test the viability of charging truckers per mile traveled.

Three states (Oregon, Utah and Virginia) are testing a vehicle miles traveled revenue system for funding road construction. Hawaii is expected to join that early club.

Electric car sales in the U.S. rose from just 0.1 percent of total car sales in 2011 to 4.6 percent in 2021, according to the U.S. Bureau of Labor Statistics. S&P Global Mobility forecasts they will make up more than 40 percent of sales by 2030.

From Canales' perspective, Texans are subsidizing the commercial trucking industry.

"Your (smart) phone should cost more. Your TV should cost more because the truck that got it (to the store) is consuming more pavement than your consumer vehicle," the House Transportation Committee Chair said. "And so, we've got to find out how to not be a welfare state. All these things (Canales held up his phone) should cost a little more because of the pavement consumed to get them to consumers."

Eventually, trucking companies may be willing to pay more once they realize they could carry larger loads to make trips more efficient, Canales said, adding more highway construction revenue will make it easier to keep roads smoother, meaning less vehicle maintenance for truckers.

"Finding solutions won't be easy or popular," Canales said.

He and Ashby found some reasons to celebrate successes from the legislative session ending earlier this year. They include extensions for the Prop 1 and Prop 7 measures that annually generate several billion dollars from oil (Prop 1) and general sales (Prop 7) for road construction. And, after nearly a decade of trying, the Legislature approved a \$400 registration fee for new electric vehicles and \$200 for annual renewals.

Canales considers the new electric vehicle fee "just a band-aid."

For him, it's about fairness. A grandmother who seldom drives will be assessed an annual \$200 registration fee for her electric vehicle – the same as someone in a similar vehicle driving 30,000 miles a year.

"That's not equitable. What is equitable is you pay for what you use," he said.

"We made strides this session. I'm proud of what we did," Canales said. "But we still have a long way to go. We need people in this room — and anybody who's interested in getting to and from work in a timely fashion — figuring out how we're going to finance transportation in the future."

Ashby agreed with Canales, noting Texas certainly will need many new road projects in the coming years while TxDOT also must maintain nearly 200,000 miles of existing highway.

"He's on the right track here. Make no mistake, there's lot of conversations that are going to have to take place in the public arena for us to really move forward," Ashby said.

Management Conference

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June 19-22, 2023

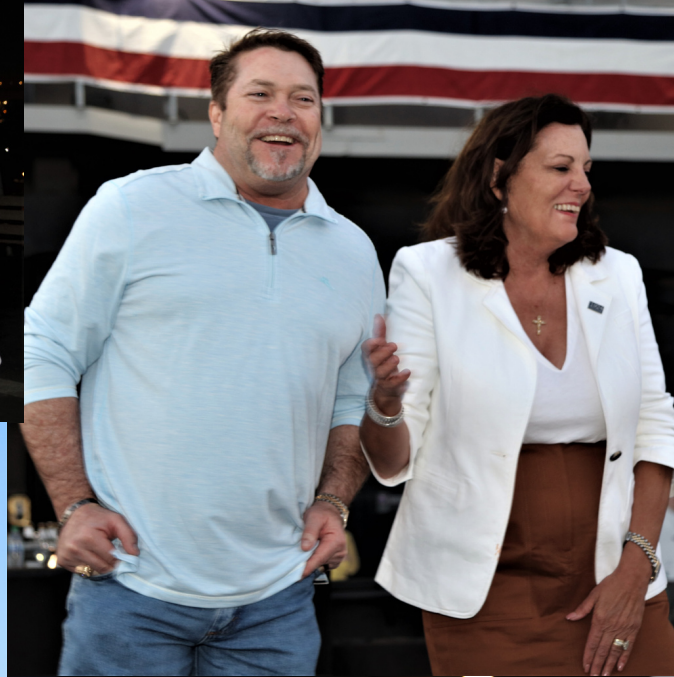














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AGC of Texas Workforce Development Efforts

Hiring for Texas heavy highway construction jobs presents a unique set of challenges due to the dynamic nature of the industry and the specialized skills required for these positions. As the ninth largest economy in the world, Texas boasts a vast network of highways and infrastructure projects that demand a skilled workforce to support its continuous growth. However, meeting this demand is far from easy.

To address these challenges, AGC of Texas has made concerted efforts to increase awareness of the opportunities present within the heavy highway construction industry and connect qualified candidates with hiring companies.

I Built This

AGC of Texas has partnered with the Texas Asphalt Pavement Association (TXAPA) and the Texas Department of Transportation (TxDOT) for the I Built This (www.WeBuildTexasRoads.com) campaign. This multifaceted campaign utilized digital advertising across social media channels (Facebook, Instagram, Twitter, LinkedIn, YouTube, and Google) and email marketing to highlight the stability and "cool factor" of the heavy highway construction industry. Individuals are directed to watch a video and take a quiz which then provides a list of potential jobs in the industry based on their quiz results. The website also connects job seekers with hiring companies across the state based on geographical locations.

We Build Texas

Additionally, AGC of Texas has partnered with AGC of America for the We Build Texas (www.Recruit.AGC.org/AGCTX/) campaign. This campaign utilizes digital advertising across AGC of Texas' social media channels (Facebook, Twitter, and LinkedIn) as well as targeted website banner advertising to direct job seekers to the campaign website where they can locate hiring companies by geographic region and type of work.

Follow along and support AGC of Texas' efforts on Facebook (Facebook.com/AGCTX), Twitter (Twitter.com/AGCofTexas) and LinkedIn (LinkedIn.com/company/AGC-of-Texas)

Complimentary company listings on the I Built This and We Build Texas campaign websites are open to AGC of Texas general members. To get started, scan the QR codes below to fill out a brief questionnaire for each campaign with your company's information. Please contact Sarah Silberstein at sarah@agctx.org for more information.



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How the AGC of Texas Helped Us End the Federal Vaccine Mandate

Stephen E. Sandherr, CEO, AGC of America

Most members are hopefully aware of the work AGC of America and its chapters performed to keep construction working throughout much of the country during the pandemic in 2020. But many of those members might be surprised to learn that we are still spending time pushing back against some of the misguided policies that came about from the pandemic. This includes protecting the industry from the Biden administration's disjointed effort to impose COVID vaccine mandates on some – but not all – construction workers.

The Biden administration attempted to put in place its byzantine COVID vaccine policies in 2021. The Occupational Safety and Health Administration sought to require all firms that employed over 100 people to require workers to be vaccinated. At the same time, it sought to require all contractors working directly for the federal government, including construction firms, to certify that their workforce was vaccinated for COVID-19.

To be clear, AGC has gone to great lengths to educate member firms and their employees about the COVID vaccines that first came available in late 2020. We created a series of video messages for the industry featuring construction workers urging their peers to get vaccinated. We also created a COVID-19 Vaccine Toolkit webpage and distributed the link to members across the country. We hosted webinars and info sessions on how to host vaccine clinics at job sites.

Encouraging workers to get vaccinated and sharing resources is one thing. But the Biden administration's efforts to put in place a regulatory patchwork that would have done more to encourage vaccine-hesitant workers to seek employment at smaller firms that do not perform federal work would not have improved public health. Instead, it would have just made it harder for many firms to find enough workers to keep pace with demand.

That is why AGC of America, working with our Dallas-based TEXO chapter and the statewide AGC of Texas chapter, quickly filed a Construction Advocacy Fund-backed lawsuit challenging the constitutionality of the mandate and requesting an immediate nationwide injunction. Our lawsuit, along with a handful of other legal challenges from other groups, prevented the federal government from enforcing these misguided mandates.

But the wheels of justice move slower than a global pandemic. And while much of the country, and most aspects of the federal government, have moved on from COVID-19, it wasn't until early May of this year that we were able to bring these misbegotten policies to their end. On May 12, the Biden administration quietly announced that it has repealed a mandate that would have required all contractors working directly for the federal government to have all workers be vaccinated for COVID-19.

This announcement follows AGC's earlier victory against the OSHA mandate for larger construction firms months ago. Our only regret is that we had to invest so much time and capital pushing back against counterproductive vaccine mandates. We wish that instead the Biden administration had accepted our repeated offers together to educate and encourage the industry about the COVID-19 vaccines. Instead of battling bad regulations, we could have worked together to better protect workers.

Moving forward we will continue to look for opportunities to work with the administration to better protect the construction workforce. This includes helping lead an OSHA-sponsored alliance working to address trench and excavation safety. At the same time, we will continue to push back against counterproductive mandates that stifle the industry without better protecting workers.

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TxDOT is Meeting Challenges Head On

Lance Simmons, TxDOT Chief Engineer

This is an exciting time for the transportation industry. While we're making historic strides in our project delivery efforts — including \$33 billion in roadway construction and maintenance projects — we also face challenges in the form of explosive population growth and inflation. With the help of valuable partners such as AGC of Texas, TxDOT is meeting these challenges head on.

Texas is booming. And that brings new and rapidly increasing demands on the state's transportation system. Between 2010 and 2020, 4 million people were added to the Texas population, according to Census data. By 2050, Texas is expected to grow to more than 40 million residents – as compared to 30 million people today. More than 1,000 new people are added to the population in Texas every single day and more and more businesses are setting roots here in Texas, too.

TxDOT has planned, and will continue to plan, for this growth and play a critical role in providing the needed infrastructure to help move people and products. A key way we're planning for that growth is through our Unified Transportation Program, or UTP, which is TxDOT's 10-year plan. Earlier this year, the draft 2024 UTP was presented to the Texas Transportation Commission. The record-setting \$100.6 billion UTP was an increase of \$15 billion over the 2023 UTP — also a historic amount.

TxDOT will continue to look at opportunities to stabilize letting volumes and communicate the status of projects in the letting pipeline. As we move forward with the development of the FY 2024 UTP we want to build in more flexibility to help our districts and local partners meet challenges they are facing with cost increases.

With inflation reaching record highs, and supply-chain disruptions continuing, the construction industry and TxDOT are experiencing daily challenges through rising material and labor costs. This in-turn has resulted in higher-than-expected bid/letting costs. While we've seen significant funding from sources like the Infrastructure Investment and Jobs Act, or IIJA, much of that increase has been eaten up by inflation. According to TxDOT's Highway Cost Index, the year-to-date increase for the 12-month moving average (May 2022 to May 2023) is 31.9%. For perspective, the additional funds provided in the IIJA represent only a 6% increase in TxDOT's overall funding.

TxDOT continues to look for ways to address inflation during project development and delivery. We continuously update our material and construction prices and account for these changes in the design decisions we make. And we work closely with our industry partners to seek opportunities to minimize costs and improve pricing and competition.

TxDOT and the transportation industry face challenges, but we've got a plan. The women and men of TxDOT are working hard each day to build a world-class transportation system that meets the growing needs of our state. Thanks to partners like AGC of Texas, we stand ready to deliver projects that get people and products where they need to go.



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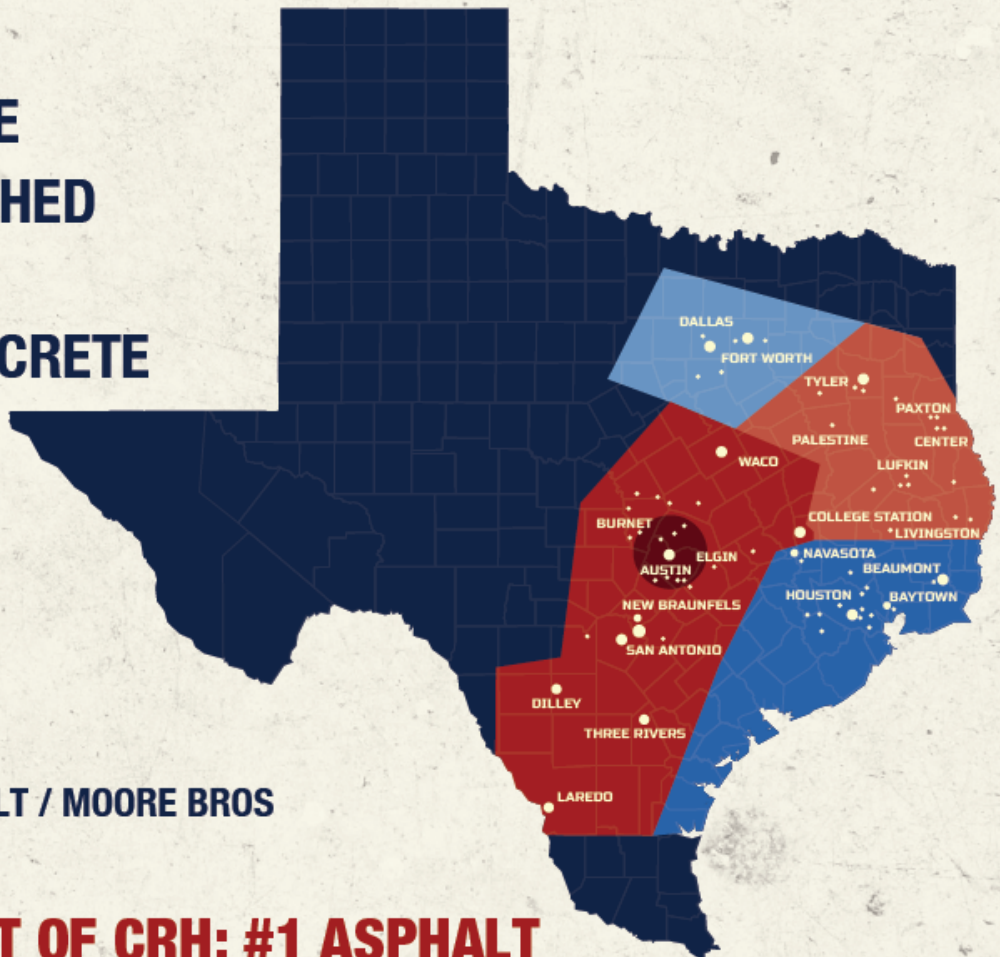


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Four Policy Changes to Help Save Lives in Highway Work Zones

Paula Hammond, ARTBA Chair & Senior Vice President, WSP USA

Six roadway workers were killed March 23 when a driver traveling at high speed collided with another car on Interstate 695 near Baltimore, Maryland.

The force of the crash sent the vehicle barreling into a highway construction zone, causing it to flip. A video from a nearby Maryland Department of Transportation camera makes it clear no one in the pathway of that car had any chance to survive. The loss for the families is devastating and something that everyone in the transportation community also feels.

The names of the fallen should be remembered: Rolando Ruiz (46); brothers Carlos Orlando Villatoro Escobar (43) and Jose Armando Escobar (52); Mahlon Simmons III (52) and his son, Mahlon Simmons II (31); and Sybil Lee DiMaggio (46).

As one victim's widow told reporters, "Innocent people pay later for [motorists] mistakes."

The five men and one woman were parents, brothers and a sister, uncles and an aunt, and in some cases, the sole provider for their family.

According to National Work Zone Safety Information Clearinghouse (workzonesafety.org) data, 857 people were killed in work zones in 2020—the most recent year for which data is available—because of mistakes by others.

One hundred percent of these incidents are preventable.

The 2021 Infrastructure Investment and Jobs Act (IIJA) law is delivering significant new federal resources to states for long overdue improvements to America's transportation network. This means a proliferation in the number of construction zones, which in turn, means a much greater risk exposure for both highway workers and drivers.

This serious public health and safety issue takes on new urgency with another busy spring construction season getting underway.

While there is no replacement for alert and responsible driving, there are at least four policy-related actions state transportation agencies, elected officials, and the Federal Highway Administration (FHWA) could be initiating now to improve conditions for roadway construction workers:

- **Classifying Workers as Vulnerable Road Users:** The IIJA requires FHWA to assist states in developing goals and programs aimed at protecting "vulnerable road users" or "VRUs," such

as pedestrians. Roadway workers are the epitome of “vulnerable” and federal and state agencies should work jointly to prioritize their safety to the same degree as other system users. This recognition is important as all states are required to complete an initial VRU Safety Assessment by November 15, 2023, and include it as part of their Strategic Highway Safety Plan.

- **Automated Speed Enforcement:** When drivers know they will be ticketed for speeding, they will slow down. Illinois, Maryland, Pennsylvania, Michigan, Washington State and New York have automated speed enforcement laws in place, and Indiana and Kentucky are working on approval. A study in Maryland showed an 80 percent reduction in speeding violations after automated speed enforcement began. Such laws should become more widespread. The IIJA allows states to use part of their federal funding to pay for such enforcement.
- **Positive Protective Measures:** States can require increased use of barriers and other positive protection/separation between motorists and workers. In addition to traditional concrete barriers, steel, movable, and mobile barriers, greater use of truck-mounted attenuators (crash cushions) and portable rumble strips are all deployable options.
- **Work Zone Safety Contingency Funds:** The IIJA allows state agencies to create contingency funds for additional protective measures for safety needs that are greater than anticipated when the contract was awarded. Creation of such funds would allow states and contractors to quickly add new measures to hazardous work sites, bypassing potential concerns raised when additional costs are added to a project.

By making such policy enhancements, transportation officials and policymakers at all levels can help reduce the number of work zone crashes to make certain that such a tragic loss of life like in Baltimore never happens again.



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