

# LEGISLATIVE & REGULATORY POLICY POSITIONS

May 1, 2026



Infrastructure Funding		Congress
<b>Status</b>	Infrastructure Law enacted in 2021 kept the same federal fuel and excise taxes for next five years. Bill and tax structure must be reauthorized by September 30, 2026.	
<b>Policy/Action</b>	NPTC supported increased taxes dedicated to Highway Trust Fund; NPTC on advisory committee for coalition to review vehicle miles traveled tax structure for CMVs; NPTC also supports repeal of 12% Federal Excise Tax on trucks, tractors and trailers.	
<b>Comments</b>	Next highway reauthorization bill in 2026 will consider alternative tax mechanisms; Highway Users Alliance is promoting a vehicle registration fee in lieu of the federal fuel taxes. Vehicle Miles Traveled Tax structure is also under consideration.	
Tax Credits for Clean Vehicles		IRS Congress
<b>Status</b>	Inflation Reduction Act provided credit of up to \$40,000 for purchase or lease of clean vehicles (i.e., electric or hydrogen fueled) over 14,000 lbs. GVW; credit expired September 30, 2025.	
<b>Policy/Action</b>		
<b>Comments</b>	Credit for electric vehicles was eliminated in One Big Beautiful Bill (budget reconciliation) in 2026.	
Highway Tolls		States Congress
<b>Status</b>	2021 Infrastructure Law has \$250 million grant program for congestion management systems, high occupancy vehicle toll lanes or pricing strategies, and incentive programs that encourage carpooling, nonhighway travel during peak periods, or travel during nonpeak periods; provides for tolling on the Interstate System.	
<b>Policy/Action</b>	NPTC opposes new tolls on existing highways; OK for new highways to cover costs of construction, keep Highway Trust Fund mechanism.	
<b>Comments</b>	Rhode Island imposed truck-only tolls on I-95; ATA challenged tolls in federal court, and court of appeals held truck-only tolls were constitutional in December 2024; also ruled cap on tolls was unconstitutional; tolling will be revisited by Congress in 2026 infrastructure legislation.	
Vehicle Size and Weight		States FHWA Congress
<b>Status</b>	2021 Infrastructure Law does not include allowances for additional truck weights or lengths; issue is dormant at the moment due to opposition	
<b>Policy/Action</b>	NPTC supports use of 91,000 lbs. or more GVW with 6 axles (with adjusted bridge formula, if necessary); 33-foot double trailers	
<b>Comments</b>	UMTRI study completed in April 2009 showing economic benefits of heavier vehicles, but the 2026 infrastructure bill is unlikely to provide additional truck weight or length allowances.	
Electric Vehicle Infrastructure		FHWA Congress
<b>Status</b>	2021 Infrastructure Law provided \$7.5 billion for network of EV charging stations along federally funded highways.	
<b>Policy/Action</b>		
<b>Comments</b>	Trump Administration withdrew funding for EV infrastructure by Executive Order; Several States challenged this action in court and now funding is restored per a preliminary injunction.	

18–20-Year-Old CMV Drivers in Interstate Commerce		FMCSA	Congress
Status	FMCSA is implementing a pilot program to allow drivers to qualify to operate CMVs at 18 years of age after completing two apprenticeships with 400 hours of training.		
Policy/Action	NPTC supported this effort as a prudent method to address the driver shortage and encourage younger drivers to enter the industry (49 States allow 18-year-old drivers to operate CMVs intrastate).		
Comments	Very few carriers are participating due to requirements to sign up with DOL apprenticeship program and have inward-facing cameras in truck; Congress removed these requirements in 2024 DOT appropriations act.		
English Language Proficiency Requirement		FMCSA	
Status	FMCSA made English language proficiency violation an out-of-service order effective June 25, 2025; CVSA has amended its OOS criteria to reflect this change.		
Policy/Action	Over 10,000 drivers have been out of service as a result of this revision.		
Comments	Several states have refused to enforce OOS rule; DOT has threatened loss of safety grant funding. FMCSA also planning a rulemaking to require all CDL tests to be conducted only in English.		
Crash Preventability Determination Program		FMCSA	
Status	On December 1, 2024, FMCSA revised standards for crash preventability; this change broadened eligibility and added four new crash types for review.		
Policy/Action	NPTC supports this as a permanent FMCSA program to establish crash preventability review standards.		
Comments	The program now reviews 21 specific crash types and modifies information in the Agency’s Safety Measurement System (SMS) to distinguish not preventable crashes.		
Integration of Medical Certificate into CDL		FMCSA	
Status	As of June 23, 2025, driver medical certificates will be sent electronically from the Medical Examiner to FMCSA, and then to State driver licensing agency; SDLA will automatically record the data in the driver’s CDL record.		
Policy/Action	NPTC supports uniform and efficient incorporation of medical exam data into CDLs.		
Comments	Drivers will no longer have to take their Medical Card to SDLA; 5 States are still not in compliance, however, and FMCSA has issued a waiver through October 12, 2026, to allow drivers to continue using paper Medical Certificates for up to 90 days after Medical Exam.		
Motor Carrier Safety Fitness Determinations		FMCSA	
Status	Advance Notice of Proposed Rulemaking issued Aug. 29, 2023; FMCSA seeking new methodology to rate carriers; asked whether to retain satisfactory/conditional/unsatisfactory ratings; also asks whether to revise critical or acute violations.		
Policy/Action	NPTC supported keeping the conditional rating and using carrier’s adoption of safety technology as a mitigating factor in fitness determinations.		
Comments	FMCSA might not be able to forward with this rulemaking due to White House regulatory freeze.		
Meal and Rest Break Preemption		FMCSA	Courts
Status	FMCSA requested comments on several petitions to waive preemption of California and Washington meal and rest break rules as applied to interstate CMV drivers.		
Policy/Action	NPTC submitted comments opposing the waivers and supporting preemption to facilitate motor carrier operations without jeopardizing safety.		
Comments	Ninth Circuit Court of Appeals had previously upheld FMCSA preemption of California MRB rules; Trump Administration unlikely to grant waiver request.		

Non-Domicile CDL Requirements		FMCSA
<b>Status</b>	In September 2025 FMCSA issued final rule requiring State Driver Licensing Agencies to limit issuance of CDLs and CLPs to foreign drivers in only three non-immigrant categories; entry and exit dates on visas must match expiration dates of CDL or CLP; SDLAs must downgrade CDLs that do not meet these requirements.	
<b>Policy/Action</b>		
<b>Comments</b>	Could affect up to 200,000 DMV drivers over the first two years.	
Speed Limiting Devices		FMCSA NHTSA
<b>Status</b>	FMCSA and NHTSA have withdrawn rulemaking to require all vehicles 26,000 lbs. GVW and over to use speed limiting devices; DOT found no compelling reason for going forward.	
<b>Policy/Action</b>	NPTC comments questioned need for nationwide limit due to variances in geography and traffic congestion.	
<b>Comments</b>	Issue not expected to be raised again in this Administration.	
Entry-Level Driver Training		FMCSA DOT
<b>Status</b>	FMCSA has removed 7000 of the 16,000 driver training providers from the Training Provider Registry. A DOT audit found significant non-compliance and outright fraud in issuing training credentials.	
<b>Policy/Action</b>	NPTC confirmed that drivers whose CDL was issued in reliance on training certification from a provider who was later delisted still have valid CDLs.	
<b>Comments</b>	FMCSA intends to begin rulemaking to eliminate self-certification for training providers.	
Hair Sample Testing		FMCSA DOT DHHS
<b>Status</b>	On December 23, 2022, FMCSA denied a request for an exemption to use hair samples as an alternative to urine testing in DOT drug tests—exemption would have allowed carriers to post positive test results to Clearinghouse; DHHS has not finalized guidelines for hair testing in federal drug testing programs.	
<b>Policy/Action</b>		
<b>Comments</b>	FMCSA does not currently have authority to allow testing of hair samples as an alternative to urine testing without DHHS guidelines; proposed DHHS hair testing guidelines published Sept. 2020.	
Oral Fluids Sample for Drug Testing		FMCSA DOT DHHS
<b>Status</b>	New final rule May 2, 2023, allows carriers to use testing of oral fluids instead of urine in DOT drug tests	
<b>Policy/Action</b>		
<b>Comments</b>	New alternative will discourage adulteration of samples as all oral fluid sample collections will be observed; but rule will not be implemented until DHHS certifies at least two labs to test oral fluids.	
Marijuana Reclassification		DEA DOT
<b>Status</b>	DEA has reclassified medical marijuana and products containing FDA-approved marijuana as a Schedule III substance on the list of Controlled Substances. DEA is also considering expanding reclassification to all marijuana.	
<b>Policy/Action</b>	NPTC supports continued testing of CDL drivers for marijuana use (60% of positive tests are for marijuana).	
<b>Comments</b>	Question of whether reclassification will affect DOT/DHHS authority to impose testing for marijuana under federal drug testing programs.	

<b>CARB Waivers for Engine Emissions Requirements</b>		<b>Congress</b>	<b>EPA</b>
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<b>Status</b>	On June 12, 2025, President signed resolutions under the Congressional Review Act rescinding EPA waivers for CARB Advanced Clean Trucks and NOx rules; exemption no longer valid and ACT and NOx rules are not enforceable in California or ten other adopting states.
<b>Policy/Action</b>	NPTC joined the Clean Freight Coalition to provide input to decision makers on reasonable transitioning from fossil fuels.
<b>Comments</b>	California and ten other States sued EPA over waiver rescissions, challenging whether EPA waivers may be rescinded under Congressional Review Act. If not, EPA must go through rulemaking to withdraw the waivers.

<b>GHG Endangerment Finding</b>		<b>EPA</b>
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<b>Status</b>	On February 12, 2026, EPA withdrew 2009 finding that greenhouse gases pose a threat to human health and welfare.
<b>Policy/Action</b>	
<b>Comments</b>	EPA says agency has no authority to impose requirements to address global climate change, and that scientific conclusions have changed since initial finding.

<b>Phase 3 Greenhouse Gas Emission Standards</b>		<b>EPA</b>
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<b>Status</b>	Rescission of GHG endangerment finding also rescinded EPA Phase I, II and III GHG emission rules for heavy-duty engines. The Phase III rules were scheduled to go into effect in Model Year 2027.
<b>Policy/Action</b>	NPTC has joined the Clean Freight Coalition to exchange information and provide real-world input to Congressional and Administration decisionmakers; also contracted with North American Council for Freight Efficiency to provide advice for fleets transitioning to alternative fuels
<b>Comments</b>	Several States and environmental groups have sued EPA over rescission of endangerment finding and Phase III emissions rule. Issue of scope of EPA authority will likely go to U.S. Supreme Court.