

FEDERAL REGULATORY ACTIVITIES



Regulatory Status – 2024/25

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

March 14, 2025

Key Updates on IANA Policy Issues

- **Pacific Legal Foundation files lawsuit asserting that the EPA waiver for CARB's Heavy-Duty Omnibus rule should be declared illegal. ([More info](#))**

Agency	Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
The White House	Order	02/25/25	Executive Order on Unleashing American Energy <i>Keywords: Permitting; Infrastructure Funding/Financing</i>	<u>Order</u>	U.S. District Court issues preliminary injunction further blocking Trump Administration from implementing funding freeze.
	Rescission	01/29/25		<u>Rescission</u>	OMB rescinds memorandum freezing federal funding for grants and loans.
	Memorandum	01/27/25		<u>Memorandum</u>	OMB issues memorandum directing agencies to halt federal funding for grants and loans that conflict with President Trump's Executive Orders.
	Executive Order	01/20/25		<u>Executive Order</u>	President Trump issues Executive Order to set new infrastructure project requirements and limit certain infrastructure funding.
The White House	Executive Order	02/18/25	Executive Order on Ensuring Accountability for All Agencies <i>Keywords: Regulation</i>	<u>Executive Order</u>	President Trump issues Executive Order placing independent agencies under White House supervision.
The White House	Memorandum	01/20/25	Memorandum on America First Trade Policy <i>Keywords: Supply Chain; Tariffs</i>	<u>Memorandum</u>	President Trump issues memorandum directing agencies to investigate trade deficits and unfair trade practices.
The White House	Memorandum	01/20/25	Memorandum on Regulatory Freeze Pending Review <i>Keywords: Regulation</i>	<u>Memorandum</u>	President Trump freezes regulatory actions until approved by Trump-appointed department heads.
The White House	Executive Order	02/21/24	Executive Order on Amending Regulations Relating to the Safeguarding of Vessels, Harbors, Ports, and Waterfront Facilities of the United States <i>Keywords: Ports; Safety</i>	<u>Executive Order</u>	President Biden issues Executive Order to improve cybersecurity in the maritime transportation system.

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California Air Resources Board	Update	03/07/25	Low NOx Heavy-Duty Engine and Vehicle Omnibus Regulation <i>Keywords: Emissions; Trucks</i>	Lawsuit	Pacific Legal Foundation files lawsuit asserting that the EPA waiver for CARB's Heavy-Duty Omnibus rule should be declared illegal.
	Update	02/14/25		Notice	EPA submits CARB's Heavy-Duty Omnibus rule waiver for congressional review.
	Notice of Decision	01/06/25		643(90)	EPA grants waiver of preemption allowing CARB to implement its Heavy-Duty Omnibus rule establishing benchmarks for emission reduction in heavy-duty engines.
	Update	08/11/22		Withdrawal	EMA withdraws lawsuit against CARB.
	Update	05/27/22		Lawsuit	EMA files federal lawsuit claiming CARB did not adhere to Clean Air Act requirements granting manufacturers four model years to meet new standards.
	Rulemaking	08/28/20		Announcement	CARB approves Heavy-Duty Omnibus rule establishing benchmarks for emission reduction in heavy-duty engines.
California Air Resources Board	Update	02/14/25	Advanced Clean Truck Regulation <i>Keywords: Emissions; Trucks</i>	Notice	EPA submits CARB's ACT rule waiver for congressional review.
	Update	07/24/23		Update	U.S. Court of Appeals for the District of Columbia allows 18 states to intervene in lawsuit in support of CARB waivers.
	Update	06/05/23		Lawsuit	Nineteen states file petition for review of EPA decision granting CARB waiver requests.

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	Decision	04/06/23		<u>20688(88)</u>	EPA grants CARB waiver requests allowing adoption of Heavy-Duty Vehicle and Engine Emission Warranty Regulations and Maintenance Provisions, Advanced Clean Trucks Regulation, Zero Emission Airport Shuttle Regulation, and Zero-Emission Power Train Certification Regulation.
California Air Resources Board	Update	01/13/25	Advanced Clean Fleets Regulation <i>Keywords: Emissions; Trucks</i>	<u>Withdrawal</u>	CARB withdraws EPA waiver request to adopt ACF.
	Update	11/19/24		<u>Lawsuit</u>	Nebraska files antitrust lawsuit against truck manufacturers and their involvement with CARB's emission regulations.
	Update	10/08/24		<u>Lawsuit</u>	NTEA and SEMA file lawsuit challenging CARB's ACF rule.
	Update	05/13/24		<u>Lawsuit</u>	17 states file lawsuit challenging CARB's ACF rule.
	Update	04/01/24		<u>Lawsuit</u>	American Free Enterprise Chamber of Commerce and the Associated Equipment Distributors file lawsuit challenging CARB's ACF rule.
	Update	11/15/23		<u>Waiver Request</u>	CARB requests EPA waiver to adopt ACF rules.
	Update	10/16/23		<u>Lawsuit</u>	CTA files lawsuit requesting preliminary and permanent injunctions to prevent CARB from enforcing its ACF rule.
California Air Resources Board	Update	01/13/25	In-Use Locomotive Regulation <i>Keywords: Emissions; Rail</i>	<u>Withdrawal</u>	CARB withdraws EPA waiver request to adopt In-Use Locomotive Rule.
	Update	10/22/24		<u>Notice</u>	CARB delays locomotive reporting period to July 2025.

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	Order	09/30/24		<u>Order</u>	Eastern District of California denies AAR and ASLRRRA motion for summary judgment and issues stay pending EPA waiver decision.
	Update	06/16/23		<u>Lawsuit</u>	AAR and ASLRRRA file lawsuit against CARB's In-Use Locomotive Regulation.
	Rulemaking	04/27/23		<u>Rulemaking</u>	CARB approves In-Use Locomotive Regulation to reduce locomotive emissions.
California Supreme Court	Decision	03/15/24	Dynamex Operations West v. Superior Court of Los Angeles Case <i>Keywords: Employee Driver Mandates; Intermodal; Trucks</i>	<u>Decision</u>	U.S. Southern District Court of California rules against CTA and denies its request for a new injunction against AB 5 enforcement.
	Update	06/30/22		<u>Decision</u>	U.S. Supreme Court denies CTA petition for review. AB 5 will retroactively take effect for trucking industry.
	Update	09/18/19		<u>Legislation</u>	Governor Newsom signs AB 5, codifying Dynamex decision into California state law, effective 01/01/20.
	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."
CBP	Notice of Proposed Rulemaking	01/08/25	[Docket No. USCBP- 2024-0030] RIN 1651-AB52 Automated Commercial Environment (ACE) Electronic Export Manifest for Rail Cargo <i>Keywords: Rail; Safety</i>	<u>2874(90)</u>	CBP proposes requiring rail carriers to electronically submit export manifest data prior to U.S. departure. Comments due 03/14/25.
CEQ	Update	11/12/24	Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act <i>Keywords: Infrastructure</i>	<u>Lawsuit</u>	U.S. Court of Appeals for D.C. Circuit rules that CEQ lacks authority to issue NEPA implementation regulations.

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	Final Rule	05/01/24		35442(89)	CEQ issues final rule modifying its regulations for NEPA implementation, effective 07/01/24.
U.S. Committee on the Marine Transportation System	Notice; request for information (RFI); reopening of comment period	09/19/20	[Docket No. DOT-OST-2024-0044] Request for Information To Identify Barriers to Planning for Climate Resilience in U.S. Ports <i>Keywords: Ports; Environment</i>	76793(89)	CMTS reopens comment period for information on resources used to plan for environmental impacts on ports.
Coast Guard	Notice of Proposed Rulemaking	02/22/24	[Docket No. USCG-2022-0802] Cybersecurity in the Marine Transportation System	13404(89)	Coast Guard proposes regulations establishing minimum maritime cybersecurity requirements.
Department of Commerce	Petition	02/26/25	Petitions for the Imposition of Antidumping and Countervailing Duties Pursuant to Sections 701 and 731 of the Tariff Act of 1930 <i>Keywords: Intermodal; Shipping Containers; Chassis</i>	Update	U.S. Chassis Manufacturers Coalition request antidumping duties on chassis from Thailand, Vietnam, and Mexico.
Department of Labor	Final Rule	04/26/24	Wage and Hour Division 29 CFR Part 541 - RIN 1235-AA39 Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees <i>Keywords: Overtime; Small Businesses</i>	32842(89)	DOL issues final rule to raise salary threshold for exemptions from minimum wage under FLSA for executive, administrative, professional, outside sales, and computer employees, effective 07/01/24.
Department of Labor	Final Rule	01/10/24	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>	1638(89)	DOL issues final rule on classification of workers as employees or independent contractors under the FLSA, effective 03/11/24.
EPA	Lawsuit	10/16/24	[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 3 <i>Keywords: Emissions; Fuel Standards</i>	Filing	Coalition of 24 states files initial brief in lawsuit against EPA's heavy-duty vehicle emission standards.
	Lawsuit	06/18/24		Filing	American Petroleum Institute and OOIDA file lawsuit against EPA's heavy-duty vehicle emission standards.
	Lawsuit	05/13/24		Filing	24 states file lawsuit against EPA's heavy-duty vehicle emission standards.

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	Final Rule	03/29/24		<u>Final Rule</u>	EPA finalizes new heavy-duty vehicle GHG emission standards for model years 2027-2032.
EPA	Final Rule	09/11/24	[EPA-R09-OAR-2023-0494; FRL-11442-02-R9] Air Plan Approval; California; South Coast Air Quality Management District <i>Keywords: Emissions</i>	<u>73568(89)</u>	EPA approves final rule making Southern California warehouse emission regulations enforceable by EPA and civic suits, effective 10/11/24.
FRA	Notice	01/10/25	Notice of Funding Opportunity for Railroad Crossing Elimination Program <i>Keywords: Rail; Transportation Infrastructure</i>	<u>Notice</u>	FRA awards \$1.1 billion to 123 Railroad Crossing Elimination Projects.
	Notice of funding opportunity	07/10/24	<i>Funding/Financing</i>	<u>56788(89)</u>	FRA solicits FY23/24 applications for the Railroad Crossing Elimination Program.
FRA	Notice of Proposed Rulemaking; withdrawal	12/31/24	49 CFR Part 211 [Docket No. FRA-2024-0033] RIN 2130-AC97 Federal Railroad Administration's Procedures for Waivers and Safety Related Proceedings <i>Keywords: Rail; Safety</i>	<u>107103(89)</u>	FRA withdraws proposal to amend procedures for evaluating waivers and safety-related proceedings.
	Extension of comment period	12/23/24		<u>104508(89)</u>	FRA extends comment period on proposal to amend procedures for evaluating waivers and safety-related proceedings to 01/15/25.
	Notice of Proposed Rulemaking	10/29/24		<u>85895(89)</u>	FRA proposes amending procedures for evaluation of waivers and safety-related proceedings. Comments due 12/30/24.
FRA	Extension of comment period	12/23/24	[Docket No. FRA-2023-0064] RIN 2130-AC95 Positive Train Control Systems <i>Keywords: Rail; Safety</i>	<u>104510(89)</u>	FRA extends comment period on proposal to amend positive train control regulations to 01/11/25.
	Notice of Proposed Rulemaking	10/28/24		<u>85462(89)</u>	FRA proposes to amend positive train control regulations to allow continued operations under certain scenarios when the technology is temporarily disabled. Comments due 12/27/24.

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FRA	Final Rule	12/19/24	Docket No. FRA–2023–0021, Notice No. 2] RIN 2130–AC94 Freight Car Safety Standards Implementing the Infrastructure Investment and Jobs Act <i>Keywords: Rail; Safety; Security</i>	103677(89)	FRA issues final rule strengthening Freight Car Safety Standards to restrict rail car content from and car manufacturing in Countries of Concern or state-owned enterprises, effective 01/21/25
FRA	Lawsuit	11/08/24	Rail Industry Challenges FRA’s Inaction on Waivers <i>Keywords: Rail; Safety</i>	Update	AAR files lawsuit against FRA for failing to act on overdue waiver requests to implement railroading technologies.
FRA	Update Notice of Funding Opportunity	10/29/24 03/29/24	Notice of Funding Opportunity for Consolidated Rail Infrastructure and Safety Improvements <i>Keywords: Rail; Transportation Infrastructure Funding/Financing</i>	Update 22206(89)	FRA awards \$2.4 billion to 122 CRISI projects. FRA solicits applications for the CRISI grant program.
FRA	Request for Public Comments	10/25/24	[Docket No. FRA–2000–7257, Notice No. 95] Railroad Safety Advisory Committee; Notice of Meeting <i>Keywords: Rail; Safety</i>	83080(89)	FRA seeks comments on potentially changing organizations eligible for RSAC membership.
FRA	Final Rule	05/21/24	[Docket No. FRA–2022–0020, Notice No. 1] RIN 2130–AC92 Certification of Signal Employees <i>Keywords: Rail; Safety</i>	44830(89)	FRA finalizes rule establishing regulations for certification of signal employees.
FRA	Final Rule	05/21/24	[Docket No. FRA–2022–0019, Notice No. 1] RIN 2130–AC91 Certification of Dispatchers <i>Keywords: Rail; Safety</i>	44766(89)	FRA finalizes rule establishing regulations for certification of dispatchers.
FRA	Report	05/20/24	FRA Rigorously Examines Safety and Quality of Life Implications of Long Trains <i>Keywords: Rail; Safety</i>	Reports	FRA issues three research reports examining effects of air brake systems on safety of long trains.
FRA	Final Rule	04/02/24	[Docket No. FRA–2021–0032, Notice No. 1] Train Crew Size Safety Requirements <i>Keywords: Rail; Safety</i>	25052(89)	FRA finalizes rule requiring a minimum of two crewmembers for most rail operations, effective 06/10/24.
GAO	Report	01/10/24	Discretionary Transportation Grants: DOT Should Improve Transparency in the Infrastructure for Rebuilding America Program <i>Keywords: Transportation Infrastructure Funding/Financing</i>	Report	GAO issues report recommending USDOT update its processes for evaluating INFRA applications.
Joint Office of Energy and Transportation	Strategy	03/12/24	National Zero-Emission Freight Corridor Strategy <i>Keywords: Freight; Emissions</i>	Strategy	Joint Office of Energy and Transportation issues strategy for

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					transitioning to zero-emission medium- and heavy-duty vehicles.
MARAD	Notice	12/03/24	Notice of Funding Opportunity for America's Marine Highway Projects <i>Keywords: Ports, Cargo, Freight</i>	<u>Notice</u>	MARAD awards \$4.85 million to five USMHP projects.
	NOFO	05/24/24		<u>Notice</u>	MARAD solicits FY24 applications for the United States Marine Highway Program (USMHP).
MARAD	Update	01/03/24	Request for Comments on the Approval of a New Information Collection: Building American Production Capacity for Electric Port Equipment and Other Port Infrastructure Items <i>Keywords: Ports</i>	<u>Update</u>	MARAD launches survey on electric port equipment.
National Academy of Sciences	Report	09/17/24	Long Freight Trains: Ensuring Safe Operations, Mitigating Adverse Impacts <i>Keywords: Rail; Safety</i>	<u>Report</u>	NAS issues report examining impacts of freight trains longer than 7,500 feet.
NHTSA	Notice of a public meeting	08/23/24	NHTSA Safety Research Portfolio Public Meeting: Fall 2024 <i>Keywords: Safety</i>	<u>68238(89)</u>	NHTSA announces public meeting on 10/28/24-10/30/24 to discuss ongoing and future research activities.
NHTSA	Report	06/18/24	[Docket No. NHTSA-2022-0052] Advisory Committee on Underride Protection <i>Keywords: Truck</i>	<u>Report</u>	Advisory Committee on Underride Protection issues report with recommendations to USDOT and Congress.
NHTSA	Notice of proposed rulemaking	07/06/23	[Docket No. NHTSA-2023-0023] RIN 2127-AM36 Heavy Vehicle Automatic Emergency Braking; AEB Test Devices <i>Keywords: Truck; Safety</i>	<u>43174(88)</u>	NHTSA proposes AEB system requirement for heavy-duty vehicles.
NHTSA	Advance Notice of Proposed Rulemaking	04/21/23	[Docket No. NHTSA-2023-0012] RIN 2127-AM54 Side Underride Guards <i>Keywords: Truck; Underrides</i>	<u>24535(88)</u>	NHTSA issues ANPRM to assess impacts of side underride guards installed on trailers and semitrailers.
NLRB	Notice of Appeal	05/07/24	Standard for Determining Joint Employer Status 29 CFR Part 103 RIN 3142-AA21 <i>Keywords: Trucking</i>	<u>Appeal</u>	NLRB appeals U.S. District Court for the Eastern District of Texas decision vacating NLRB joint employer rule.
	Decision	03/09/24		<u>Decision</u>	U.S. District Court for the Eastern District of Texas vacates NLRB joint employer rule.

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	Final Rule	10/27/23		<u>73946(88)</u>	NLRB issues new standard for determining whether two employers are joint employers, effective 12/26/23.
NLRB	Lawsuit	06/13/23	Board Modifies Independent Contractor Standard under National Labor Relations Act <i>Keywords: Employee Driver Mandates</i>	<u>Decision</u>	NLRB overturns Super Shuttle precedent in decision favoring classification of opera workers as employees rather than independent contractors.
NTSB	Report	06/25/24	Sunshine Act Meeting <i>Keywords: Rail; Safety</i>	<u>Report</u>	NTSB issues investigative report on East Palestine, Ohio derailment.
PHMSA	Notice of proposed rulemaking; extension of comment period	01/08/25	[Docket No. PHMSA-2018-0080 (HM-265)] RIN 2137-AF41 Hazardous Materials: Advancing Safety of Highway, Rail, and Vessel Transportation <i>Keywords: Safety</i>	<u>1405(90)</u>	PHMSA extends comment period on proposal to update regulations for transporting hazardous materials to 04/28/25.
	Notice of Proposed Rulemaking	10/07/24		<u>NPRM</u>	PHMSA proposes updating regulations for transporting hazardous materials.
PHMSA	Final Rule	06/24/24	[Docket No. PHMSA-2016-0015 (HM-263)] Hazardous Materials: FAST Act Requirements for Real-Time Train Consist Information <i>Keywords: Rail; Safety</i>	<u>52956(89)</u>	PHMSA finalizes rule requiring railroads to provide real-time information on rail hazmat shipments to emergency response personnel, effective 07/24/24.
TSA/DHS	Notice of Proposed Rulemaking	11/07/24	[Docket No. TSA-2022-0001] RIN 1652-AA74 Enhancing Surface Cyber Risk Management <i>Keywords: Rail</i>	<u>88488(89)</u>	TSA proposes to strengthen cybersecurity for rail sectors.
U.S. Supreme Court	Lawsuit	12/10/24	Seven County Infrastructure Coalition v. Eagle County, Colorado <i>Keywords: NEPA; Permitting</i>	<u>Lawsuit</u>	Supreme Court hears oral arguments in case to determine scope of indirect impacts considered during environmental reviews.
U.S. Supreme Court	Decision	6/28/24	Loper Bright Enterprises et al. v. Raimondo, Secretary of Commerce, et al. <i>Keywords: Federal regulations</i>	<u>Decision</u>	Supreme Court overturns "Chevron deference decision," courts no longer directed to defer to federal agencies on interpretation of statutes.

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USTR	Request for comments and notice of public hearing Notice of Determination Notice of investigation initiation, hearing, and request for comments	02/27/25 01/23/25 04/22/24	Docket Nos. USTR-2024-0004, USTR-2024-0005 Initiation of Section 301 Investigation: China's Acts, Policies, and Practices Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance <i>Keywords: Supply Chain; Maritime</i>	<u>10843(90)</u> <u>8089(90)</u> <u>29424(89)</u>	USTR proposes fees on Chinese vessel operators entering U.S. ports and announces hearing and comment deadline on 03/24/25. USTR finds China's practices impacting maritime, logistics, and shipbuilding sectors unreasonable and thus actionable under Section 301 of the Trade Act. USTR initiates investigation into China's practices impacting U.S. maritime, logistics, and shipbuilding sectors.
USTR	Notice of modification of actions Report Announcement	09/18/24 05/14/24 09/17/18	[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>76581(89)</u> <u>Report</u> <u>Announcement</u>	USTR finalizes changes to Section 301 tariffs, effective 09/27/24. USTR releases report on statutory review of Section 301 tariffs; includes recommendations and proposed modifications. 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.