



Committee: House Transportation & Infrastructure Committee
Event: [Full Committee Markup of the Building Unrivaled Infrastructure and Long-Term Development for America's 250th Act \(BUILD America 250 Act\)](#)
Date: May 21, 2026

Executive Summary:

On May 21, 2026, the House Transportation & Infrastructure Committee held a markup of the Building Unrivaled Infrastructure and Long-Term Development for America's 250th Act (BUILD America 250 Act; [H.R. 8870](#)).

- Republicans praised the bill for prioritizing highways, bridges, freight mobility, rail modernization, permitting reform, and autonomous vehicle (AV) deployment. They also supported the bill's efforts to improve Highway Trust Fund solvency through new electric vehicle (EV) registration fees.
- Democrats highlighted the bill's changes to funding levels under the *Infrastructure Investment and Jobs Act* (IIJA), support for transit, rail safety, and clean transportation programs. They raised concerns with proposed cuts to low-emission transit programs, EV fees, and ensuring workforce and safety protections keep pace with AV deployment.
- H.R. 8870 passed out of Committee in a 62-2 vote.

Member Toplines:¹

Chair Sam Graves (R-MO-06): Graves explained that H.R. 8870 prioritizes highways, transit, rail, freight mobility, and safety while reducing federal red tape and giving states and local governments more flexibility to deliver projects faster. He explained that EV owners should pay their "fair share" into the Highway Trust Fund through a proposed annual registration fee. Graves also emphasized the bill's establishment of the first federal framework for AVs.

Ranking Member Rick Larsen (D-WA-02): Larsen emphasized the bill's strong infrastructure funding levels and continued support for grant programs such as the Safe Streets and Roads for All Program. He highlighted \$1 billion for charging and low-emission fuel infrastructure under the Congestion Mitigation and Air Quality Program (CMAQ). Larsen added that the bill avoided a "punitive EV fee" and highlighted the bill's establishment of the first federal framework for AVs.

Rep. David Rouzer (R-NC-07): Rouzer emphasized that more than 90 percent of highway funding in H.R. 8870 would flow through formula programs, giving states greater certainty and flexibility. He also highlighted the bill's permitting reform provisions, including expanded categorical exclusions and improved interagency environmental review coordination. Rouzer supported the bill's proposed registration fees for EVs and plug-in hybrids, describing them as a "modest," but important first step toward addressing the Highway Trust Fund deficit.

¹ Opening statements were not available online at the time of this memo's distribution.

Rep. Daniel Webster (R-FL-11): Webster emphasized that H.R. 8870 modernizes the Federal Railroad Administration’s regulatory processes to encourage innovation, investment, and improved rail safety and efficiency. He also highlighted permitting and project delivery reforms aimed at reducing bureaucracy and redirecting wasted resources toward infrastructure construction and job creation.

Rep. Jerry Nadler (D-NY-10): Nadler criticized the bill for prioritizing highway expansion over rail and public transit investment, arguing that rail and transit should be treated as core national infrastructure priorities. He also stressed the need for stronger congressional oversight to ensure transportation laws and infrastructure funding are implemented as Congress intended.

Rep. Pete Stauber (R-MN-08): Stauber explained that H.R. 8870 strengthens transportation infrastructure, modernizes critical systems, improves safety, and ensures federal investments are delivered efficiently and responsibly. He praised the bill’s strong Buy America requirements, saying federal infrastructure spending should support American workers. Stauber also supported the bill’s permitting reform measures, including streamlined reviews and clearer judicial timelines.

Rep. Andre Carson (D-IN-07): Carson praised H.R. 8870’s dedicated transit funding, support for new transit services, and investments in transit safety, including bus facilities and personnel. He also highlighted the bill’s sustainability and clean transportation provisions, including EV infrastructure investments and support for cleaner materials in infrastructure projects.

Rep. Tracey Mann (R-KS-01): Mann stressed the importance of infrastructure to rural America, noting that his district relies heavily on an extensive network of roads, rail, and bridges that support agriculture, manufacturing, small businesses, and emergency services. He said the bill “gets back to the basics” by prioritizing roads, bridges, freight movement, and safety while reducing unnecessary spending.

Rep. Dina Titus (D-NV-01): Titus described the IIJA as transformative for her district in Las Vegas through major investments in transportation, safety, resilience, and mobility. She urged continued investment in IIJA programs rather than backsliding on infrastructure progress. On EVs and clean transportation, Titus praised the bill for including funding for EV charging infrastructure and broader clean mobility efforts, including bicycle lanes. She highlighted that the bill includes provisions from her Thermal Runaway Reduction Act ([H.R. 7928](#)), such as an annual grant program to test methods to extinguish thermal runaway, as well as a requirement to update federal regulations for the transport of lithium-ion batteries.

Rep. Brian Babin (R-TX-36): Babin emphasized the bill’s support for innovation, including the creation of the first federal framework for the safe integration of AVs, as well as improvements to motor carrier safety.

Rep. Salud Carbajal (D-CA-24): Carbajal emphasized that the bill takes a forward-looking approach by including a first-of-its-kind AV safety title. He stressed that Congress must ensure

workforce protections keep pace with automation, ensuring labor has a seat at the table and safety remains a top priority as AVs are deployed. Carbajal expressed concern that the bill's EV fee structure does not adequately account for income disparities or affordability challenges. He also criticized the elimination of the Low or No Emissions Grant Program, arguing it has helped transit agencies modernize fleets, reduce emissions, and deploy cleaner buses nationwide.

Rep. Bruce Westerman (D-AR-04): Westerman supported the bill and highlighted that roughly 90 percent of highway funding would flow through formula programs, giving states greater flexibility to prioritize their own infrastructure needs. He also pointed to expanded bridge funding as a major component of the bill, underscoring its importance for safety and reliability.

Rep. Chris Pappas (D-NH-01): Pappas emphasized the bill's major investments in roads, highways, bridges, and safety programs. He stressed that these investments are especially important given New Hampshire's nearly 200 structurally poor bridges, which require urgent attention. Pappas also praised the bill's preservation and expansion of the Safe Streets and Roads for All Program, Transportation Alternatives Program, and CMAQ.

Rep. Scott Perry (R-PA-10): Perry criticized the bill for authorizing expenditures beyond what he believes the federal government can afford. He explained that H.R. 8870 rolls back what he described as "egregious" *Inflation Reduction Act* programs, but argued it does not go far enough in reducing wasteful spending. Perry also raised concern with the Highway Trust Fund, noting that nearly 30 percent of its revenue is diverted to non-highway uses.

Rep. Marilyn Strickland (D-WA-10): Strickland supported H.R. 8870 for maintaining funding levels for highways and transit under IIJA. She pointed to strengthened support for metropolitan planning organizations to improve local project planning, administration, and delivery. Strickland also highlighted support for Cascadia High Speed Rail in the bill.

Rep. Dusty Johnson (R-SD-At Large): Johnson noted that the bill nearly doubles bridge funding for South Dakota while also increasing highway and surface transportation investments aimed at strengthening supply chains and improving efficiency. He highlighted policy provisions included in the bill, including the incorporation of his Securing Infrastructure from Adversaries Act ([H.R.4802](#)), which restricts the use of federal transportation funds for certain foreign-sourced lidar technology tied to Chinese companies. He argued this measure protects national security by preventing sensitive infrastructure data from being accessed by China.

Rep. Emilia Sykes (D-OH-13): Sykes highlighted provisions that would accelerate the removal of dangerous tank cars from service to reduce the risk of rail-related hazardous materials incidents. She also pointed to new requirements ensuring that hazardous materials placards on railcars are more resilient and cannot melt in fires.

Rep. Rob Bresnahan (R-PA-08): Bresnahan stressed that the bill includes meaningful permitting reforms designed to streamline approvals and accelerate the start of construction projects. He highlighted that the bill includes the largest investment in bridges in American history, with a significant share of funding directed toward locally owned bridges.

Rep. Hillary Scholten (D-MI-03): Scholten emphasized that the bill includes provisions from her Paving the Way for the American Industry Act ([H.R. 3933](#)) to keep federal transportation dollars in the U.S. and strengthen the domestic chemical industry while supporting union jobs.

Rep. Dave Taylor (R-OH-02): Taylor emphasized that the bill includes major permitting reforms, including the removal of unnecessary permitting review steps and the expansion of categorical exclusions. He argued these changes will streamline project delivery, reduce costs, and accelerate construction timelines for critical infrastructure projects.

Rep. Nellie Pou (D-NJ-09): Pou pointed to the inclusion of her bipartisan Safe Track Act ([H.R. 8410](#)), which strengthens highway rail grade crossing safety regulations. She emphasized that the bill reflects meaningful bipartisan progress.

Rep. Laura Gillen (D-NY-04): Gillen pointed out that H.R. 8870 includes multiple safety-focused provisions she helped author, particularly aimed at improving child passenger safety and reducing impaired driving. She also applauded the bill's inclusion of a new \$100 million grant program to improve national data collection on drug-involved crashes.

Rep. Shomari Figures (D-AL-02): Figures expressed support for H.R. 8870 and emphasized the importance of infrastructure investments for his district's economic growth.

Rep. Maxwell Frost (D-FL-23): Frost highlighted that H.R. 8870 includes provisions from his Safer Rail Crossings Act ([H.R.7358](#)), which would help address dangers at rail grade crossings where pedestrians and vehicles intersect with rail lines. He noted that there were nearly 2,000 pedestrian accidents at grade crossings in 2023 and pointed out that Florida ranks third nationally for pedestrian injuries in train-related incidents.

Legislation Considered:

BUILD America 250 Act ([H.R. 8870](#))

I. Amendments:

- [Manager 01](#) - Incorporates more than 60 amendments filed by members.
 - Larsen supported the manager's amendment.
 - Taylor supported the manager's amendment and highlighted that it includes three of his amendments, including an amendment expressing congressional support for the completion of the I-73 Corridor ([Taylor 079](#)), an amendment assuring truck drivers can operate safely ([Taylor 080](#)), and an amendment ensuring the Secretary of Transportation can provide oversight to protect roads from chameleon carriers ([Taylor 081](#)).
 - Carson supported the manager's amendment and highlighted that it includes his amendment to prohibit the discrimination of motorcyclists at traffic stops based on their clothing ([Carson 057](#)).
 - Rep. **Eric Burlison** (R-MO-07) supported the amendment for highlighting the important history of Route 66 ([Burlison 077](#)).

- Sykes supported the manager’s amendment and noted it includes her amendment to require truck stops and parking areas that receive federal funding for construction to post placards that include information on suicide prevention and human trafficking ([Sykes 117](#)).
- Rep. **Jefferson Van Drew** (R-NJ-02) supported the manager’s amendment. He applauded it for including his amendments to establish an interdisciplinary bridge safety team within the Department of Transportation (DOT) ([Van Drew 121](#)) and to require the Federal Highway Administration to publish a public database of toll rates, terms, and conditions ([Van Drew 124](#)).
- Pou supported the amendment. She pointed out that the amendment includes three of her amendments, including an amendment to direct the Government Accountability Office to review DOT’s Protect Program to identify strategies to improve infrastructure resilience ([Pou 037](#)); an amendment which mandates DOT consult with labor groups and provide those groups with a seat on the advisory panel created by the underlying bill ([Pou 040](#)); and an amendment to create new eligibilities under DOT’s discretionary grant program for projects at facilities designated as a national highway system intermodal connector ([Pou 043](#)).
- Rep. **Kevin Kiley** (I-CA-03) supported the manager’s amendment and argued it refocuses the government on core infrastructure priorities like roads, bridges, and railways.
- Bresnahan supported the manager’s amendment. He highlighted its bipartisan provisions to ensure local bridge funding is distributed fairly across all Pennsylvania communities.
- Rep. **Hank Johnson** (D-GA-04) supported the manager’s amendment and praised its inclusion of a bridge inspection workforce training program aimed at addressing staffing shortages.
- Gillen supported the manager’s amendment and highlighted its support for constructing roundabouts, arguing that they help reduce traffic fatalities and improve roadway safety.
- **The amendment passed by voice vote.**
- [Foushee 064](#) - Reauthorizes funding for the National Electric Vehicle Infrastructure Program (NEVI) for the next five years.
 - Rep. **Valerie Foushee** (D-NC-04) supported her amendment. She explained that continued federal investment in EV charging networks would expand affordable and resilient transportation options for Americans in both urban and rural communities. She highlighted the program’s role in supporting consumer choice and spurring private-sector manufacturing investment.
 - Graves opposed the amendment. He stressed that the Highway Trust Fund should be prioritized for roads and bridges used by all drivers rather than for EV charging and fueling infrastructure.
 - **The amendment failed by voice vote.**
- [Foushee 065](#) - Reauthorizes funding for the Charging Fueling Infrastructure Program (CFI).

- Foushee supported her amendment. She argued that expanding publicly available EV charging infrastructure offers a practical way to improve affordability and energy resilience.
 - Taylor opposed the amendment and applauded the bill for not including funding for the CFI Program.
 - **The amendment failed by voice vote.**
- [Carbajal 072](#) - Provides an EV fee exemption for owners earning under \$75,000.
 - Carbajal supported his amendment. He argued that imposing EV fees on middle-class households would create an unnecessary financial burden for families already struggling with rising housing, transportation, and fuel costs. He emphasized that the Highway Trust Fund's challenges stem from long-standing structural issues rather than EV adoption.
 - Taylor opposed the amendment. He emphasized that imposing a registration fee on EVs and plug-in hybrids is fair to other vehicle owners who contribute to road upkeep.
 - **The amendment failed by voice vote.**
- [DeSaulnier 039](#) - Protects funding for the NEVI Program and CFI Program.
 - Rep. **Mark DeSaulnier** (D-CA-10) supported his amendment. He explained that continued investment in EV charging infrastructure is essential for building a reliable national charging network and maintaining U.S. competitiveness with countries like China. DeSaulnier also emphasized that expanding EV infrastructure would help address climate change by reducing transportation emissions.
 - Rep. **Brad Knott** (R-NC-13) opposed the amendment. He argued that it would keep the DOT from administering and reviewing programs that have not delivered on their promises.
 - **DeSaulnier withdrew his amendment.**
- [Davids 066](#) - Changes the EV fee calculation to provide greater parity with the gas tax.
 - Rep. **Sharice Davids** (D-KS-03) supported her amendment. She explained that while she supports an EV fee in principle, the fee in the underlying bill is arbitrary and punitive toward consumers who choose EVs. Davids proposed tying the EV fee to a parity-based calculation aligned with average federal gas tax contributions. She explained that under her framework, EV drivers would pay a comparable amount to traditional drivers, while preserving consumer choice.
 - **Davids withdrew her amendment.**
- [Patronis 047](#) - Permits only specialized stinger-steered car haulers to operate at weights up to 88,000 pounds for a limited time.
 - Rep. **Jimmy Patronis** (R-FL-01) supported his amendment. He argued that the amendment will allow specialized stinger-steered car haulers to accommodate heavier modern vehicles such as EVs and hybrids. Patronis added that the change would help lower fuel use, congestion, and delivery costs.

- Carson opposed the amendment. He explained that allowing heavier trucks on interstate highways would negatively impact long-term roadway durability.
- Nadler opposed the amendment. He echoed Carson's comment that allowing heavier trucks will damage highway infrastructure.
- Rep. **Brian Mast** (R-FL-21) supported the amendment. He argued that it is necessary to raise the truck weight limit to keep up with the changing auto industry.
- Taylor supported the amendment. He echoed Mast's comment that raising the weight limit is necessary to keep up with the modern vehicle fleet.
- **The amendment was agreed to in a 32-31 vote.**
- [Titus 296](#) - Instructs the National Academies of Sciences, Engineering, and Medicine to conduct a one year study on tunnel safety and EVs.
 - Titus supported her amendment. She explained that recent lithium-ion battery fires make it necessary to reassess regulations to protect first responders, commuters, and infrastructure, especially in tunnels where EV fires could pose heightened risks.
 - Stauber opposed the amendment. He stressed that tunnel safety standards should be considered holistically, not just in the context of EVs.
 - **The amendment failed in a 29-35 vote.**
- [Foushee 066](#) - Provides an EV fee exemption for seniors.
 - Foushee supported her amendment. She explained that imposing a federal EV tax during a period of high gas, grocery, housing, and healthcare costs would unfairly burden elderly Americans. Foushee added that the EV fee would do little to solve Highway Trust Fund insolvency.
 - Graves opposed the amendment. He explained that the EV fee ensures that all drivers pay into the Highway Trust Fund equally.
 - **The amendment failed by voice vote.**
- [Huffman 076](#) - Protects grants awarded under IIJA during the past 15 months.
 - Rep. **Jared Huffman** (D-CA-02) supported his amendment. He emphasized that states, cities, tribes, ports, and transit agencies have already invested significant time and resources relying on previously announced funding. He argued that rescinding or delaying those awards would undermine public trust in federal infrastructure programs and result in wasted public investment.
 - Rouzer opposed the amendment. He argued that mandating immediate obligation of all remaining grants without oversight would be ill-advised.
 - **The amendment failed in a 27-37 vote.**
- [Perry 227](#) - Strikes the bill's requirement that states spend federal money on EV charging infrastructure.
 - Perry supported his amendment. He contended that EV mandates and funding requirements amount to unfair government favoritism.

- Larsen opposed the amendment. He defended incorporating EV charging funding into CMAQ as a logical fit with its clean air objectives. Larsen added that pairing EV user fees with targeted infrastructure investments creates a more coherent and fair policy approach.
- Rouzer opposed the amendment. He explained that the underlying bill takes a measured, phased-out approach by ending funding for EV charging after its fourth year.
- **The amendment failed in a 21-43 vote.**
- [Garcia 049](#) - Requires the U.S. Access Board to finalize guidance for EV chargers within 18 months.
 - Garcia supported his amendment. He argued that it would ensure EV charging stations are accessible to all users, including seniors and people with disabilities.
 - **Garcia withdrew the amendment.**
- [Titus 307](#) - Requires carriers of lithium ion batteries to get a hazardous materials endorsement on their driver's license.
 - Titus supported her amendment. She explained that it would modernize federal regulations for the commercial transport of lithium ion battery cargo to improve safety and clarity for carriers.
 - Graves opposed the amendment. He explained that lithium ion batteries are a class nine material that do not require hazmat endorsement. Graves added that the amendment would increase the cost to ship such batteries.
 - Rep. **Mike Collins** (R-GA-10) supported the amendment. He explained that it will ensure only properly trained drivers and certified trucking companies handle these high-risk cargo shipments.
 - **The amendment was agreed to in a 40-24 vote.**
- [Nadler 043](#) - Restores and strengthens the Low or No Emission Grant Program.
 - Nadler supported his amendment. He explained that restoring funding to the Program will help transit agencies replace aging diesel buses with cleaner, more reliable vehicles.
 - Graves opposed the amendment. He explained that the amendment would divert money from other formula programs.
 - Larsen noted that while the Program was eliminated from the bill, the eligibility for transit agencies to use their funds for low and no emission bus grants was maintained.
 - Rep. **John Garamendi** (D-CA-08) supported the amendment. He stressed that the government should prioritize transitioning toward lower-emission buses as part of modernizing transit systems.
 - **The amendment failed by voice vote.**
- [Scholten 114](#) - Helps convert unused rights of way into assets to generate energy, build transmission, and expand broadband.
 - Scholten supported her amendment. She explained that the amendment would help accelerate critical infrastructure buildout in rural, urban, and suburban communities.
 - **Scholten withdrew the amendment.**

- [Perry 230](#) - Repeals the Safe Streets and Roads for All Grant Program.
 - Perry supported his amendment. He argued that the Program is often misused to impose additional restrictions on drivers and force cars off the road.
 - Larsen opposed the amendment. He explained that the Program helps communities implement safety plans developed by metropolitan and regional planning organizations.
 - **The amendment failed in a 7-57 vote.**
- [Bresnahan 049](#) - Shields vehicle owners from liability for failing to retrofit vehicles with safety equipment that were not required under federal motor vehicle safety standards.
 - Bresnahan supported his amendment. He explained that companies complying with existing federal truck safety standards should not face additional liability for equipment that was not legally required at the time of manufacture.
 - Larsen opposed the amendment. He warned that the amendment could allow potentially unsafe AVs to avoid future hardware safety upgrades as new standards emerge.
 - Collins supported the amendment. He explained that it would protect vehicle owners and platforms from being held automatically liable for the actions of renters.
 - Stauber supported the amendment. He argued that the amendment would address what he described as frivolous litigation targeting truck rental and leasing businesses.
 - **The amendment was agreed to in a 36-28 vote.**
- [Garcia 043](#) - Requires human fallback safety operators for the next 10 years.
 - Garcia supported the amendment. He argued that fully autonomous transit systems should not replace humans until the technology can reliably perform those responsibilities.
 - Pou supported the amendment. She pointed to a recent DOT demonstration involving an autonomous public transit bus that was struck by a Tesla during an illegal lane change. Pou noted that the presence of a human driver helped ensure safety and underscored the importance of maintaining human oversight in AV operations.
 - Stauber opposed the amendment. He explained that the underlying bill already contains a strong safety framework for AVs and requiring human fallback operators for more than a decade would effectively block the deployment of autonomous buses.
 - **The amendment failed by voice vote.**
- [Huffman 075](#) - Strikes the EV fee from H.R. 8870.
 - Huffman supported his amendment and argued that the proposed tax on EVs and plug-in hybrids are regressive, unfairly target cleaner vehicles, and would generate little meaningful revenue for the Highway Trust Fund. He contended that the flat-fee structure ignores actual road usage and would punish consumers for choosing cleaner transportation options.
 - **Huffman withdrew the amendment.**

II. Final Vote on H.R. 8870: **Passed out of Committee in a 62-2 vote.**

- A. Yeas:** Graves, Crawford, Webster, Babin, Rouzer, Bost, Westerman, Mast, Stauber, Burchett, Johnson (SD), Van Drew, Nehls, Mann, Owens, Burlison, Collins, Ezell, Kiley, Fong, Wied, Barrett, Begich, Bresnahan, Hurd, Shreve, McDowell, Taylor, Knott, King-Hinds, Kennedy, Onder, Patronis, Fuller, Larsen, Norton, Johnson (GA), Carson, Titus, Huffman, Brownley, DeSaulnier, Carbajal, Stanton, Davids, Garcia (IL), Pappas, Moulton, Strickland, Ryan, Hoyle, Sykes, Scholten, Foushee, Deluzio, Garcia (CA), Pou, McDonald Rivet, Friedman, Gillen, Figures, Frost
- B. Nays:** Perry, Nadler
- C. No Vote:** Massie, Garamendi, Wilson