


# 65th Annual Workshop on Transportation Law
# Tentative Schedule at a Glance

## Preliminary Program

To view the sessions' presentations, please visit:

***All Speakers are Invited***

### Sunday, July 12, 2026

3:00 PM – 6:00 PM
**Registration**

5:00 PM – 6:30 PM
**Welcome Reception**

### Monday, July 13, 2026

7:30 AM – 5:00 PM
**Registration**

7:30 AM – 8:00 AM
**Continental Breakfast**

8:00 AM – 8:15 AM
**Welcome**
**John Putnam,** Partner, Kaplan, Kirsch Chair, Legal Resources Section
**Robert Shea,** Transportation Research Board (TRB), Senior Program Officer

8:15 AM – 10:00 AM
**Session 1: Legal Updates and Perspectives from USDOT Senior Legal Officers**
In this kick-off session, you will hear from and interact with a panel of senior legal officers with USDOT operating administration. You will learn about current policy initiatives at USDOT, hot legal topics, key regulatory actions and other important developments shaping our transportation system.

**John Putnam,** Kaplan Kirsch LLP, *Moderator*
*Sponsored by the Legal Resources Section (AJL00)*

**Panel**

- **Gregory Zerzan,** General Counsel, U.S. Department of Transportation - *invited*
- **William "Liam" McKenna**, Chief Counsel, Federal Aviation Administration - *invited*
- **Kyle Fields**, Chief Counsel, Federal Railroad Administration - *invited*
- **Matthew Cahill,** Chief Counsel, Federal Transit Administration - *invited*

10:00 AM – 10:30 AM
**Break**

10:30 AM – Noon
**Session 2: Up In the Air: New Airspace and Evolving Requirements for Drones/UAS**
The deployment and use of UAS is evolving quickly with new legal requirements and advancements in technology, including proposed rules for Beyond Visual Line of Sight operations, protection of critical infrastructure, Counter-UAS authority, and limitations on purchase of some foreign equipment. This panel will discuss the recent technological developments and regulatory updates related to drones and airspace. It will consider what drones have to learn from other emerging tech such as AVs and vice versa.

**Joshua Root**, Minnesota Department of Transportation (MnDOT), *Moderator*
*Sponsored by the Select Topics in Transportation Law Committee (AQL11)*
*Cosponsored by the Developments and Advancements in Transportation Technology law Committee (AQL14)*

**Panel**

- **Ben Jones**, Special Assistant to Chief Counsel, Mississippi Department of Transportation (MDOT)
- **Ian R. Williams**, Venable, LLP
- **John Putnam**, Kaplan Kirsch LLP

12:15 PM – 1:45 PM
**Lunch/Open Forums**
*Select Topics in Transportation Law Committee (AQL11)*
*Public Transportation and Intermodal Operations Law Committee (AQL12)*
*Transportation Procurement and Contract Law Committee (AQL13)*

2:00 PM – 3:30 PM, **CONCURRENT SESSIONS**
**Session 3: Transportation Off the Beaten Path: Legal Issues Facing Rural, Cross-Border and Tribal Transportation Systems**
Providing public transportation in rural communities, on tribal lands, and across borders comes with unique legal and regulatory considerations. This panel will explore key issues including

funding constraints, jurisdictional complexity, liability, contracting, and compliance. Join our panelists as they share their insights and practical strategies for navigating these issues in the rural, tribal, and cross-border contexts.

**Kathleen Kraft,** Thompson Coburn LLP, *Moderator*
*Sponsored by the Public Transportation and Intermodal Operations Committee (AQL12)*
*Cosponsored by Select Topics in Transportation Law Committee (AQL11) and Advancements in Transportation Technology Law Committee (AQL14)*

**Panel**

- **Ronald Hall**, Urban Great Plains Transportation Institute
- **Ben Crow**, Minnesota Department of Transportation (MnDOT)

**Session 4: Big Rigs, Big Risks: Hot Topics in Trucking**
This panel will discuss topics of interest to the tort and risk management community, as well as anyone that travels the nation's highways. The panel will discuss legal issues including:

- The government's role in designing or maintaining infrastructure suitable for both passenger vehicles and commercial motor vehicles and the avoidance or management of risk relating to those roles
- Civil litigation involving the agency and roadway infrastructure and features
- Potential liability for special HOV lanes for CDL holders, parking facilities, compliance with federal and state engineering guidance

**Terri Parker,** Missouri Department of Transportation (MoDOT), *Moderator*
*Sponsored by the Safety Risk Management and Tort Liability Committee (AQL17)*

**Panel**

- Sue Lawless, Scopelitis, Garvin, Light, Hanson & Feary, P.C.
- Mike Fleming, Washington Department of Transportation (WDOT)
- Alan Steinberg, California Department of Transportation (CALTRANS)

3:30 PM – 4:00 PM
**Break**

4:00 PM – 5:30 PM, **CONCURRENT SESSIONS**
**Session 5: Preparing for Failure: Cybersecurity, Procurement, and Liability Risks in Transportation Operations**
Transportation agencies are using more and more data and technologies in operations, from connectivity and automation to cloud-hosted Software-as-a-Service to manage safety-critical functions. Technologies are often procured through lengthy processes that consider technical and legal requirements separately, leaving potential gaps between what contracts say and what must be done to actually ensure security. At the same time, transportation infrastructure is at increased risk of cyberthreats and other technology failures. When critical infrastructure is

compromised, gaps can quickly become liabilities. This session opens with overviews of the cybersecurity and data risks that agencies face today, agency obligations for security and reliability, potential liabilities, and procurement realities. The session then turns to a cybersecurity failure scenario and engages a panel representing diverse perspectives from agency operations, transportation vendors, legal advisors, and security specialists to work through the questions raised. Attendees will leave with practical insights on how to close gaps between legal compliance and technical security, and other best practices for procurement and operations.

**Xiaoxiao Zhang**, WSP, *Moderator*
*Sponsored by the Developments and Advancements in Transportation Technology Law Committee (AQL14)*
*Co-Sponsored by the Transportation Procurement and Contract Law Committee (AQL13) and Safety Risk Management and Tort Liability Committee (AQL17)*

**Panel**

- **Dorothy Vinski,** California Department of Transportation (Caltrans)
- **Paul Flores,** California Department of Transportation (Caltrans)

**Session 6: All Aboard the Risk Train: Risk Pooling and Liability Issues in Passenger Rail**
Passenger rail operators face significant liability from accidents and surging insurance costs. Those trends are likely to worsen this year when the scheduled increase to the federal statutory cap on passenger rail accident damages takes effect. An already hard and shrinking excess liability insurance market is complicating agencies' efforts to acquire necessary coverage. Join our panelists as they discuss the state of the insurance market, impacts on passenger rail operations, and possible solutions to the looming crisis.

**Allison Fultz,** Kaplan Kirsch LLP*, Moderator*
*Sponsored by the Legal Resource Section (AQL00)*
*Cosponsored by the Select Topics in Transportation Law Committee (AQL11)*

**Panel**

- **John Atkins,** Thompson Coburn LLP
- **Otis Tolbert,** Aon Risk Solutions

## Tuesday, July 14, 2026

7:30 AM – 5:00 PM
**Registration**

7:30 AM – 8:00 AM
**Continental Breakfast**

8:00 AM – 9:30 AM, **CONCURRENT SESSIONS**

**Session 7: The Dual Relationship of Oversight and Partnership in DOT-Railroad Interactions**
Many state departments of transportation find themselves in the unique position of regulating some aspects of railroad infrastructure while collaborating with railroad agencies on issues relating to the construction of highway projects. Areas of common interest include safety of at-grade railroad crossings, contracting matters relating to crossing agreements and maintenance agreements, cost-shares on infrastructure projects including high speed rail, and coordination during incidents involving both entities.

The panel will discuss the navigation of these sometimes diverse perspectives, the Brightline West project, federal preemption, and the potential impact of the Iowa Supreme Court's recent ruling in the *Northern Railway Co. v. Floyd County* case.

**Joshua Root**, Minnesota Department of Transportation (MnDOT), *Moderator*
*Sponsored by the Select Topics in Transportation Law Committee (AQL11)*
*Cosponsored by the Safety Risk Management and Tort Liability Committee (AQL17)*

**Panel**

- Matt Miller, Minnesota Department of Transportation (MnDOT)
- Julie Del Rivo, California Department of Transportation (CALTRANS)
- David Pickett, Brightline High Speed Rail

**Session 8: Get Together Now? State of Mergers and Competition in Transportation**
The last few years have seen important developments in competition law and policy issues for transportation industries. This panel will focus on recent developments and trends in the railroad and aviation industry. This will include the legal processes that govern the review of large proposed or recent attempted mergers such as Union Pacific-Norfolk Southern or Allegiant-Sun Country, as well as similar issues with airline alliances, international code sharing arrangements, airport gate access, and railroad reciprocal switching.

**John Putnam,** Kaplan Kirsch, LLP *Moderator*
*Sponsored by the Select Topics in Transportation Law Committee (AQL11)*

**Panel**

- Brian Stansbury, Hunton Andrews Kurth LLP
- Carrie Cox, Wisconsin Department of Transportation (WisDOT)
- John Putnam, Kaplan Kirsch LLP

9:30 AM – 10:00 AM
**Break**

10:00 AM – 11:30 AM, **CONCURRENT SESSIONS**

### Session 9: Tariffs at the Table: Risks, Remedies and Real-World Contract Drafting

Tariffs have quickly become a regular passenger in the transportation world, and they don't come with a seatbelt! This session will examine the current legal landscape surrounding tariffs and how evolving trade policy impacts public transportation contracting. Join our panelists as they discuss practical drafting strategies for allocating tariff-related risk and what to do when tariffs disrupt pricing, performance, or supply chains.

**Ryan Gaulke**, Minnesota Department of Transportation (MnDOT), *Moderator*
*Sponsored by the Public Transportation and Intermodal Operations Law Committee (AQL12)*
*Cosponsored by the Transportation Procurement and Contract Law Committee (AQL13)*

**Panel**

- **Lucy Andre**, Stadler US
- **Marie Dwyer**, Missouri Department of Transportation (MoDOT)
- **Robert Shapiro**, Thompson Coburn LLP

### Session 10: Current Issues in Transportation Environment Law

Significant Changes in Permitting Reform from "functional equivalence" (*Air Force v. Guahan*, S.Ct. No. 25-579) to implementation of *Seven County Infrastructure Coalition,* 605 U.S. 168 (2025)

At the beginning of 2026, the Council for Environmental Quality (CEQ) issued its final rule rescinding CEQ regulations following guidance for agencies updating their NEPA processes. This panel will address the evolution of environmental review from the pending Supreme Court decision in *Air Force v. Guahan*, implementation of the 2025 *Seven County Infrastructure Coalition* decision, current caselaw, and best practices for addressing environmental impacts analysis issues. The panel will provide a variety of perspectives from CEQ, DOT agencies, state and private practice. This will be an interactive session and will include a robust Q&A portion.

**Ted Boling,** Perkins Coie, *Moderator*
*Sponsored by the Standing Technical Committee on Environmental Issues in Transportation Law (AQL16)*

**Panel**

- **Lemuel (Lem) Thomas**, Surface Transportation Board (STB)
- **Joshua Rodriguez**, American Association of State Highway and Transportation Officials (AASHTO)
- **Nicolle Fluery**, Federal Highway Administration (FHWA) *invited*,
- **Jomar Maldonado**, Council on Environmental Quality (CEQ) *invited*,

11:45 AM – 1:15 PM

**Lunch/Open Forums**

*Developments and Advancements in Transportation Technology Law (AQL14)*
*Environmental Law in Transportation (AQL16)*
*Safety Risk Management and Tort Liability (AQL17)*

1:30 PM – 3:00 PM, **CONCURRENT SESSIONS**

**Session 11: From Claim to Courtroom: Effective Defense of the "Dangerous Condition" Tort Claim**

The session will feature attorneys and experts who frequently defend personal injury and wrongful death claims for transportation agencies. Panelists will discuss trial themes, use of experts, voire dire techniques, trial strategy and other topics of interest such as litigation involving large trucks.

**Terri Parker**, Missouri Department of Transportation (MoDOT)*, Moderator*
*Moderator*
*Sponsored by the Safety Risk Management and Tort Liability Committee (AQL17)*

**Panel**

- **Ron Effland, P.E.,** Effland Engineering
- **Heidi Skinner,** Interim City Attorney, City of National City, CA
- **Gary Holtmeyer**, Missouri Department of Transportation (MoDOT)
- **Sue Lawless**, Scopelitis, Garvin, Light, Hanson & Feary, P.C.

**Session 12: Artificial Intelligence, Real Agencies: What to Consider When Using AI for Transportation**

As artificial intelligence transforms the public and private sectors, this panel will explore how transportation agencies are using AI today and in the near future, and corresponding legal and policy considerations. Our panel of experts representing perspectives from federal, state, and local agencies, and the private sector, will begin with a discussion of AI use cases, agency obligations and responsibilities, and available resources. After that, we will dive into topics such as procurement, terms of service, data and privacy concerns, and potential liabilities. Attendees will leave with practical tips for addressing risks while embracing the future of AI.

**Melody Drummond Hansen,** Acute Strategy, *Moderator*
*Sponsored by the Developments and Advancements in Transportation Technology Law (AQL14)*
*Cosponsored by the Transportation Procurement and Contract Law (AQL13)*

**Panel**

- **Rochelle Chavez**, LA Metro
- **Annette Simelaro**, Georgia Department of Transportation (GDOT)
- **Jeffrey Frank**, U.S. Small Business Administration (SBA)
- **Christine D. Ryan**, Nossaman LLP

3:00 PM – 3:30 PM
**Break**

3:30 PM – 5:00 PM, **CONCURRENT SESSIONS**
**Session 13: State of Federal Grant and Financial Assistance Law**
This panel will discuss recent developments relating to the law relating to federal grant and loan programs, including changes in USDOT grant agreements, award and obligation processes, audits, terminations and recissions. This will include a discussion of litigation relating to grant agreement provisions, grant terminations and freezing payments under grants.

**Allison Fultz,** Kaplan Kirsch LLP*, Moderator*
*Sponsored by the Legal Resources Section*
*Cosponsored by the Select Topics in Transportation Law Committee (AQL11)*
**Panel**

- **Brian Ostler**, Los Angeles World Airports (invited)
- **Carrie Cox**, Wisconsin Department of Transportation (WisDOT)
- **John Putnam**, Kaplan Kirsch LLP
- **Julie Veit**, Airport City of San Francisco (invited)
- **Susan Knowles-Cleveland** City of San Francisco Municipal Transportation Agency (invited)

**Session 14: Navigating Development of Transportation Projects through Progressive Design Build**
This session provides key information and insights for public transportation agencies that are using or considering the use of progressive design build for the development of transportation projects. Learn from the experiences of our panel of lawyers and practitioners who will present case studies on transportation projects being developed through progressive design build in various states. You will gain valuable knowledge about successful strategies and structures, as well as pit falls to avoid.

**Ann-Therese Schmid**, Nossaman LLP, *Moderator*
*Sponsored by the Transportation Procurement and Contract Law Committee (AQL13)*

**Panel**

- **David Miley,** Oklahoma Department of Transportation (ODOT) - invited
- **Viktor Zhong**, Kaplan Kirsch LLP
- **Nils Grandberg**, Gransberg & Associates, Inc.
- **Ann-Therese Schmid**, Nossaman LLP,
- **Jessica Sutherland,** Sonoma-Marin Area Rail Transit District
- **Sri Srirajan**, Riverside County Transportation Commission (RCTC)

## Wednesday, July 15, 2026

7:30 AM – 10:00 AM
**Registration**

7:30 AM – 8:00 AM
**Continental Breakfast**

8:00 AM – 9:30 AM
**Session 15: Navigating Civil Rights in Transportation: Requirements, Implementation and Compliance**
This session will provide the audience with an update to the current expectations and practices for civil rights implementation and compliance in transportation projects. The panel consists of lawyers and practitioners will address the legal landscape as well as the impacts of implementation and compliance in transportation entities based on recent litigation, regulatory and procedural measures.

**Angela Berry Roberson,** ABR Advisory Consultants *Moderator*
*Sponsored by the Transportation Procurement and Contract Law Committee (AQL13)*

**Panel**

- **Collette Holt**, Colette Holt & Associates
- **Michael Bryant**, Texas Department of Transportation (TxDOT)
- **Vince Malone**, WeGO Public Transit
- **Angela Berry Roberson,** ABR Advisory Consultants
- **Tracey Payne,** Acting Commissioner, Chicago Department of Aviation

9:30 AM – 10:00 AM
**Break**

**ETHICS SESSION**
10:00 AM – Noon
**Session 16: Truthfulness to the Tribunal: When Candor Meets Reality**
The ABA Model Rules state clearly that an attorney must not knowingly make false statements of fact or law to a tribunal. Despite that basic admonition, in current times government counsel is often faced with limitations on their personal knowledge and awareness of relevant facts and/or interpretations of law being advanced by their clients. This session will explore in detail the concepts surrounding "candor to the tribunal," the boundaries of that obligation, and how attorneys can navigate the most challenging situations consistent with the ethical rules and interpretations of those rules when they forced to confront limited or inaccurate information.

**Fred Wagner**, Principal Environmental Advisor, Jacobs
*Sponsored by the Legal Resources Section (AJL00)*

Noon – 12:15 PM
**Closing Remarks & Adjournment**
**John Putnam,** Kaplan, Kirsch, and Rockwell, LLP, Chair, Legal Resources Section
**Robert Shea,** Transportation Research Board (TRB), Senior Program Officer

1:00 PM – 2:30 PM
**Section Council Meeting *(By Invitation Only)***

**NOTES**