



Transportation Regulatory and Litigation

DLA Piper's Transportation Regulatory and Litigation practice provides practical, effective and creative legal advice and representation for companies whose businesses, products and services are subject to transportation laws and regulations. Our experienced lawyers assist clients with regulatory compliance, investigations, enforcement, disputes and litigation, participating in government programs, evaluating transportation transactions and investments, and seeking regulatory and legislative change in industries that are both heavily regulated and rapidly changing.

RELATED SERVICES

- Regulatory and Government Affairs
- Litigation, Arbitration and Investigations

Transportation – of people, goods and materials – is vital to nearly every business in the US and around the globe. And the transportation industry by itself is huge, encompassing automobile and truck manufacturing and operation, aviation, passenger and freight railroads, water transportation, pipelines, space transportation, highway construction and maintenance and other transportation infrastructure. Our US Transportation practice provides experience-based regulatory and litigation services to automotive OEMs and equipment manufacturers and suppliers; heavy truck manufacturers and motor carriers, transportation as a service and mobility companies; and manufacturers and service providers across transportation modes and businesses in the rapidly evolving transportation sector.

Globally, we provide diverse transportation-related legal services through our interdisciplinary Infrastructure, Construction and Transportation sector teams, which draw on diverse practice groups to assist companies with practical and experience-based advice in markets around the world.

Today, the US transportation sector is more dynamic than ever as new technologies and business models and other innovations cause disruptive change. At the same time, many segments of the transportation industry in the US are heavily regulated, involve substantial government funding and oversight, or both. The combination of rapid industry change and heavy regulation – which is itself evolving – makes it critical for industry participants to receive regulatory advice and assistance that is up to date, strategic and based on hands-on experience with the development and application of transportation regulations. Our US Transportation Regulatory practice has the experience to provide informed and effective transportation regulatory representation in this dynamic environment, including experience as federal transportation regulators, senior in-house counsel to a major auto company and decades of experience in transportation regulation and litigation. Services we offer include (for more detailed listing, see Capabilities):

Automotive industry regulatory, counseling and litigation

Generally applicable motor vehicle (sedans, light trucks, motorcycles) and equipment regulation and policy We represent OEMs, suppliers and equipment manufacturers with respect to safety standards and exemptions; rulemaking; compliance and reporting; investigations, defects, recalls, and enforcement; fuel economy and standards, and heavy truck regulation.

Autonomous, connected, and electric vehicle regulation and litigation at federal, state and local levels, including regulatory development, compliance, and enforcement proceedings; advice regarding regulatory strategies, risks, and opportunities associated with autonomous,

connected, and electric vehicles; and assistance with related infrastructure development, funding, and regulatory matters.

Transportation regulation, counseling and litigation, including railroad economic and safety regulation; unmanned aircraft systems (i.e., drones) regulation and policy; Federal Highway Administration projects and regulations and other transportation infrastructure projects; transit system regulation, projects, and public funding; high-speed rail projects; and federal transportation and infrastructure projects and programs (including "green" infrastructure, transportation, and energy programs and projects), funding, compliance, and oversight.

CAPABILITES

Some of the services we provide to the transportation industry, their customers and others include:

Automotive Industry Regulation, Counseling, and Litigation

Autonomous, connected, and electric vehicle regulation and counseling (federal, state, and local) to auto manufacturers, auto sensor and equipment makers, tech companies, AV and automated driving systems developers and manufacturers, startups, and investors.

- Passenger vehicles and light- and heavy-duty trucks and equipment, platooning
- Regulatory advice, strategies, and counseling regarding regulatory risks and opportunities related to autonomous and connected vehicles and their deployment, in an evolving legal environment
- Participation in the development and implementation of regulations governing automated vehicles and other new technologies, including rulemaking, exemptions, and interpretations
- Advanced driver assistance systems
- Evaluation and advice regarding emerging AV crash liability law and response strategies
- Ridesharing, transportation network company, and urban mobility law and regulation
- Regulation of operation and testing of autonomous, connected, and electric vehicles
- Electric vehicles, related regulation and charging infrastructure policy, regulation, and opportunities
- Litigation related to AV and EV regulation, compliance and enforcement
- Advice regarding effects of new transportation technologies, services, and systems on other industries and sectors, including real estate and land use, liability and insurance, data privacy and cybersecurity, connected infrastructure, and supply chain and transportation logistics
- Regulatory advice and analysis regarding transactions, investments, business ventures, partnerships for development and commercialization of autonomous, connected, and electric vehicles and related services. Due diligence.

Generally applicable motor vehicle (sedans, light trucks, motorcycles) and equipment regulation and policy —advising and representing OEMs, suppliers, equipment manufacturers and other affected entities with respect to

- Safety standards and exemptions
- Participating in regulatory development, including rulemaking, challenges, and appeals
- Regulatory strategy and analysis
- Regulatory interpretations, guidance, and voluntary standards
- Agency adjudications and court challenges
- Compliance
- Early warning reporting, TREAD Act
- Defect investigations, recalls, and reporting
- Enforcement defense, litigation, and appeals
- Fuel Economy and emissions standards, regulation, enforcement, and litigation

- New Car Assessment Program
- State motor vehicle regulation
- Motor vehicle-related matters before the Consumer Products Safety Commission
- Heavy truck regulation, including safety standards, freight transportation, and autonomous and platooning regulation (FMCSA and State agencies), and litigation.
- Passenger bus and motor coach regulation

Other Transportation Regulation, Counseling, and Litigation

- Railroad economic and safety regulation (STB, FRA)
- Unmanned aircraft systems (drones) regulation and policy and other FAA matters
- Federal Highway Administration projects and regulations and other transportation infrastructure projects
- Transit system regulation, projects, and public funding (FTA). High-speed rail projects
- “Green” Infrastructure and energy programs and funding.
- Passenger motor carrier and bus regulation
- Administrative and regulatory litigation and appeals (challenging administrative rules, decisions, penalties, etc.)
- Stimulus and economic-recovery-related federal transportation and infrastructure programs, funding, regulatory relief, compliance and oversight
- Logistics and supply chain matters
- Other transportation-related regulation, litigation, advice, and due diligence

INSIGHTS

Publications

White House announces plan to substantially expand introduction of sustainable aviation fuel

15 September 2021

Key details.
