



COMMONWEALTH of VIRGINIA
Office of the
SECRETARY of TRANSPORTATION

Moving Ahead for Progress in the 21st Century (MAP-21)

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Introduction

- **On July 6, 2012, President Obama signed into law a new two-year surface transportation authorization**
- **In many instances, Federal agencies will need to interpret the legislation and/or promulgate rule makings prior to full implications being understood**
- **The legislation extends the current authorization through the end of this federal fiscal year, and then authorizes \$105 billion over the next two fiscal years**
- **The legislation, among other things:**
 - **Expands the TIFIA program and other innovative financing mechanisms**
 - **Consolidates highway and transit programs**
 - **Provides reforms to accelerate the project delivery process**
 - **Establishes a National Freight Policy and National Freight Network**
 - **Mandates implementation of performance measures and targets**
 - **Enhances highway safety**
 - **Maintains and modernizes transit programs**

Funding

- **Authorizes \$105 billion for FY '13 and FY '14**
- **Extends the HTF and tax collections through FY 2016 – two years beyond the reauthorization period**
- **Eliminates the Equity Bonus Program, but guarantees 95% return to the states on Highway Trust Fund contributions**
- **Continues 80-20 highway-transit funding split**
- **Transfers \$18.8 billion in general funds to Highway Trust Fund (HTF) over life of the authorization**
- **CBO estimates that the HTF's Highway and Transit Accounts will face new deficits starting in FY 2015**

Funding

- All allocation formulas based on lane mileage and vehicle miles traveled removed
- FY '13 funding to states held harmless at not less than FY '12 levels
- FY '14 funding shall not be less than 95% of highway use taxes
- Allocations:
 - CMAQ – 2009 amount/all other programs
 - Metropolitan Planning – 2009 amount/all other programs
 - National Highway Performance – 63.7%
 - Surface Transportation Program – 29.3%
 - Highway Safety Program – 7%

FHWA Budget - SAFETEA-LU vs. MAP-21				
	SAFETEA-LU Average (FY 2005 - 2009)		MAP-21 Average (FY 2013 - 2014)	
Apportioned by Formula	34,324.40	83.00%	37,704.40	92.60%
Earmarked by Congress	4,392.60	10.60%	0	0.00%
Allocated by US DOT	2,630.00	6.40%	3,012.10	7.40%
TOTAL	41,347.00	100.00%	40,716.50	100.00%

Highway Program Authorizations

Selected Highway Program Authorizations			
	FY 2013	FY 2014	2-Year Total
Federal-Aid Core Highway Programs	37,476,819,674	37,798,000,000	75,274,819,674
National Highway Performance Program	21,751,779,050	21,935,691,598	43,687,470,648
Surface Transportation Program	10,005,135,419	10,089,729,416	20,094,864,835
Highway Safety Improvement Program	2,390,305,390	2,410,515,560	4,800,820,950
Congestion Mitigation and Air Quality Program	2,209,172,618	2,227,860,477	4,437,033,095
Metropolitan Planning	311,667,197	314,302,948	625,970,145
Transportation Alternatives	808,760,000	819,900,000	1,628,660,000
TIFIA	750,000,000	1,000,000,000	1,750,000,000
Projects of National and Regional Significance (GF Authorization)	500,000,000	0	500,000,000
Ferry Boats and Terminal Facilities	67,000,000	67,000,000	134,000,000
Research	400,000,000	400,000,000	800,000,000
Total Highway Program Funding Authorizations	40,968,000,000	41,025,000,000	81,993,000,000
Total Highway Program Obligation Limitation	39,699,000,000	40,256,000,000	79,955,000,000

Transit Program Authorizations

Selected Transit Program Authorizations			
	FY 2013	FY 2014	2-Year Total
Transit Formula and Bus Grants	8,478,000,000	8,595,000,000	17,073,000,000
Planning Program	126,900,000	128,800,000	255,700,000
Metropolitan Planning	10,000,000	10,000,000	20,000,000
Urbanized Area Formula Grants	4,397,950,000	4,458,650,000	8,856,600,000
Elderly and Disabled Formula Grants	254,800,000	258,300,000	513,100,000
Rural Area Formula Grants	599,500,000	607,800,000	1,207,300,000
Bus Testing Facility	3,000,000	3,000,000	6,000,000
National Transit Institute	5,000,000	5,000,000	10,000,000
National Transit Database	3,850,000	3,850,000	7,700,000
State of Good Repair Formula Grants	2,136,300,000	2,165,900,000	4,302,200,000
Buses and Bus Facilities	422,000,000	427,800,000	849,800,000
Fast Growth/High Density Formula Grants	518,700,000	525,900,000	1,044,600,000
Capital Investment Grants (GF Authorization)	1,907,000,000	1,907,000,000	3,814,000,000
Total Transit Funding Authorization	10,584,000,000	10,701,000,000	21,285,000,000

What does this mean for Virginia?

(Estimated by FHWA and FRA)

FY 2013 - \$985,698,122

- National Highway Performance Program - \$575,925,533
- Surface Transportation Program - \$264,907,663
- Highway Safety Program - \$63,288,520
- CMAQ - \$52,779,964
- Metropolitan Planning - \$7,192,602
- Transportation Alternatives - \$21,603,840
- Transit Formula Funding - \$119,359,624

FY 2014 - \$994,145,660

- National Highway Performance Program - \$580,794,115
- Surface Transportation Program - \$267,147,058
- Highway Safety Program - \$63,823,529
- CMAQ - \$53,226,139
- Metropolitan Planning - \$7,253,404
- Transportation Alternatives - \$21,901,415
- Transit Formula Funding - \$120,964,504

Note: Yearly estimated total does not include transit funding

TIFIA

- **Authorizes \$750 million in FY '13 and \$1 billion in FY '14 – up from \$122 million in SAFETEA-LU**
- **Increases the amount of a project's cost that can be funded with loans to 49%, as opposed to the current 33%**
- **Expands the repayment period from 35 years to the life of the asset**
- **Not more than 10% is to be set aside for rural infrastructure projects**
 - **Defined as any surface transportation project located in an area other than a city with a population of more than 250,000 inhabitants**
 - **Eligible project cost floor reduced from \$50 million to \$25 million**
- **New project readiness standard requiring applicant to demonstrate that contracting process for construction can begin within 90 days**
- **Requires new approval deadlines and rolling approval process**
 - **Secretary to notify of complete application within 30 days of receipt and notify of approval or denial within 60 days thereafter**

Tolling

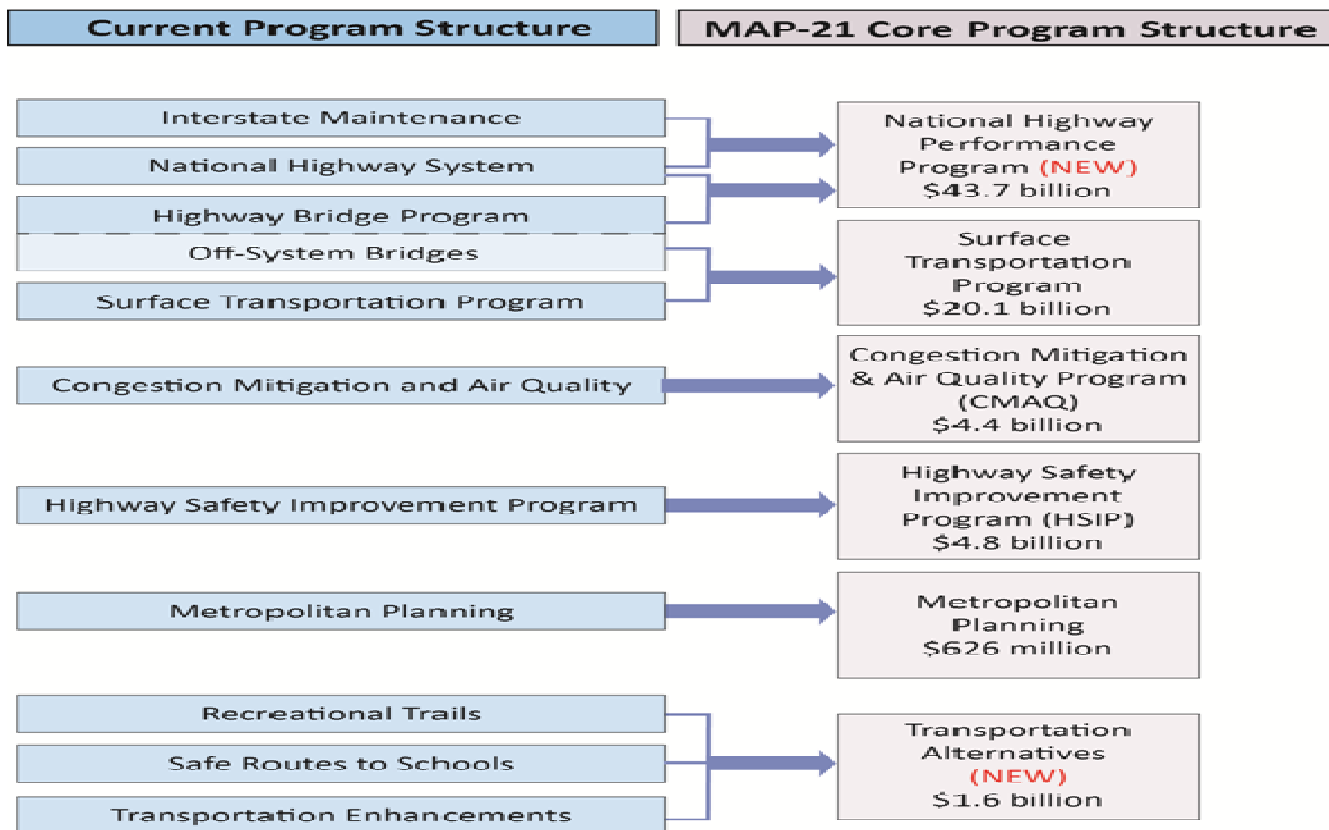
- **Continues existing pilot programs – does not impact existing projects**
- **Expands ability to construct new capacity, reconstruction, restore or rehabilitate highways on the Interstate system provided that the number of toll-free, non-HOV lanes does not decrease as a result of construction**
- **Expands ability to construct and toll new capacity of highways off the Interstate system provided the number of toll-free lanes does not decrease**
- **Permits the reconstruction or replacement of a toll-free bridge or tunnel and converting to a tolled facility**
- **Enables the reconstruction of a toll-free Federal-aid Highway NOT on the Interstate system and converting to a tolled facility**
- **Provisions reducing formula allocations for states that sell or lease toll facilities to private companies not included in authorization**

Program Consolidation

- **Eliminates or consolidates approximately 60 programs, with much of the funding focused on core programs**
 - National Highway Performance Program
 - Surface Transportation Program
 - Congestion Mitigation and Air Quality Program
 - Highway Safety Improvement Program
 - Metropolitan Planning
 - Transportation Alternatives
- **Establishes a new Transportation Alternative Program to consolidate Enhancements, Safe Routes to School and Recreational Trails**
 - 2% set aside of apportioned funds
 - Requires 50% to be obligated based on population and 50% can be used anywhere
 - Should funds be reserved and sub-allocated to MPOs greater than 200,000, they would select projects through an application process in consultation with the state
 - Allows states to transfer up to 50% of their funds to other programs

Program Consolidation

Consolidated Highway Program Structure



Project Delivery

- **Majority of these changes simply codify existing opportunities that exist within FHWA...minimal cost and time saving based on initial analysis**
- **Expands Categorical Exclusions to include:**
 - **Emergency replacement projects**
 - **Projects within operational right-of-way**
 - **Projects with limited (less than \$5 million) amounts of federal funding or a total cost of less than \$30 million and no more than 15% federal funding**
 - **Certain multi-modal projects**
- **Expands flexibility to begin certain activities prior to NEPA completion:**
 - **Acquisition of real property (federal funds can be used for early ROW acquisition)**
 - **Design**
 - **Entering into Construction Manager/General Contractor two-phased contract**
- **Designates Secretary (USDOT) as lead agency for NEPA reviews and authorizes concurrent reviews of NEPA documents**
- **Authorizes combined FEIS and ROD**

Project Delivery

- **Imposes Federal agency deadlines for review (180 days after complete application) and penalties for not meeting those deadlines**
- **Statute of limitations for legal challenge reduce from 180 to 150 days**
- **Support programmatic approaches – rulemaking to allow for programmatic approaches to the environmental review process**
- **Expands the applicability of the state delegation pilot program to include all states, as well as rail, transit and multimodal projects**

National Freight Policy

- **Requires USDOT, in consultation with states and stakeholders, to design a National Freight Network comprised of a Primary Freight Network of up to 30,000 miles, portions of the Interstate not on the Primary Freight Network and Critical Rural Freight Corridors**
- **Requires USDOT to develop a National Freight Strategic Plan**
- **Allows USDOT to increase the federal share from 90 to 95% for freight projects on the Interstate and from 80% to 90% for any other freight projects**
 - **Requires US Secretary certification that the project meets the requirements of Section 1116**
 - **The project must be in a state freight plan, and**
 - **The project can demonstrate progress towards meeting performance targets for freight movement**
- **Encourages states to establish a State Freight Plan and a Freight Advisory Committee**

Performance Measures – National Goals

1. *Safety – to achieve a significant reduction in traffic fatalities and serious injuries on all public roads.*
2. *Infrastructure Condition – to maintain the highway infrastructure asset system in a state of good repair*
3. *Congestion Reduction – to achieve a significant reduction in congestion on the National Highway System*
4. *System Reliability – to improve the efficiency of the surface transportation system*
5. *Freight Movement and Economic Vitality – to improve the national freight network, strengthen the ability of rural communities to access national and international trade markets and support regional economic development*
6. *Environmental Sustainability – to enhance the performance of the transportation system while protecting the natural environment*
7. *Reduced Project Delivery Delays – to reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process...*

Performance Measures

- **USDOT responsible for establishing performance measures in consultation with states, MPOs, transit agencies, and stakeholders (rulemaking within 18 months for the following):**
 - National Highway System highway and bridge performance and condition (will establish minimum conditions)
 - Highway Safety – serious injuries and fatalities
 - CMAQ – traffic congestion and on-road mobile source emissions
 - Freight movement
 - Transit safety and state of good repair
- **States are required to develop performance targets in coordination with MPOs and transit agencies within 1 year of rule making**
- **MPOs required to adopt targets in coordination with state and transit operators within 180 days after state adopts targets**
- **Performance measures and targets must be incorporated in short and long-term planning and programming**
 - Long range plans, TIPs and STIPs must show the progress that is expected to be achieved by planned decisions and investments
 - The State must report in four years and the US Secretary must report within five years on progress towards meeting the targets
 - States and MPO long range plans must include System Performance Reports that describe progress

Metropolitan and Statewide Planning

- Retains requirement that MPOs be established for urbanized areas of 50,000 or more
- States may establish Regional Transportation Planning Organizations made up of non-metropolitan local officials or their designees who volunteer for such organizations.
- States required to develop long range plans in “cooperation” with rather than in “consultation” with transportation officials in non-metropolitan areas
- According to MAP-21, the development of the STIP remains “consultative” with transportation officials in non-metropolitan areas
- MPOs over 200,000 in population required to have representatives of public transit operators
- In non-attainment areas, federal funds can be used for new capacity for single occupant vehicles provided that the project is addressed through a congestion management process

Highway Safety

- Funding is doubled and most existing HSIP requirements are retained
- USDOT will establish performance measure for fatalities and serious injuries per VMT and total
- If states fail to update their Strategic Highway Safety Plans, the penalty is ineligibility for August redistribution funds
- High Risk Rural Roads set aside eliminated but projects remain eligible
- Highway Grade Crossing Program is continued at current funding levels - \$220 million/year
- A slight increase in funding for NHTSA programs is included
- New incentive program for occupant protection, impaired driving, traffic records, graduated licensing, distracted driving, and motorcycles

Transit

- **Retains overall program size at roughly the same level as the last year of the just-expired authorization**
- **Program duration of 27 months (through the end of September 2014)**
- **Reduces the number of discretionary programs**
 - **JARC and New Freedom Programs consolidated into existing formula programs**
 - **Bus and Bus Facilities Program distributed by formula**
 - **Established a new State of Good Repair Program to replace the Fixed Guideway Modernization Program**
 - **Establishes a new category for Core Capacity Improvement in New Starts**
 - **Elderly and Disabled Program is formulized with 60% going to large urbanized areas, 20% to small urbanized areas, and 20% to other areas**
- **Changes fixed guide way definition to exclude HOV lanes, thereby reducing formula assistance for transit systems that operate express bus services on HOV / HOT lanes**

Transit

- **Leaves the maximum allowable commuter benefit unchanged, meaning the disparity between transit and parking benefits persists**
- **Administration and oversight for Rural Formula Grant Program reduced from 15 to 10%**
- **Directs Secretary to establish safety and state of good repair performance measures**
- **Establishes an Emergency Relief program similar to that for highways**
- **Requires recipients of funding to develop a Transit Asset Management Plan and System**
- **Allows transit agencies operating in communities over 200,000 to use a portion of their formula operating assistance if they operate less than 100 buses during rush hour**
- **Authorizes USDOT to create a National Safety Plan for all transit modes**

Questions?