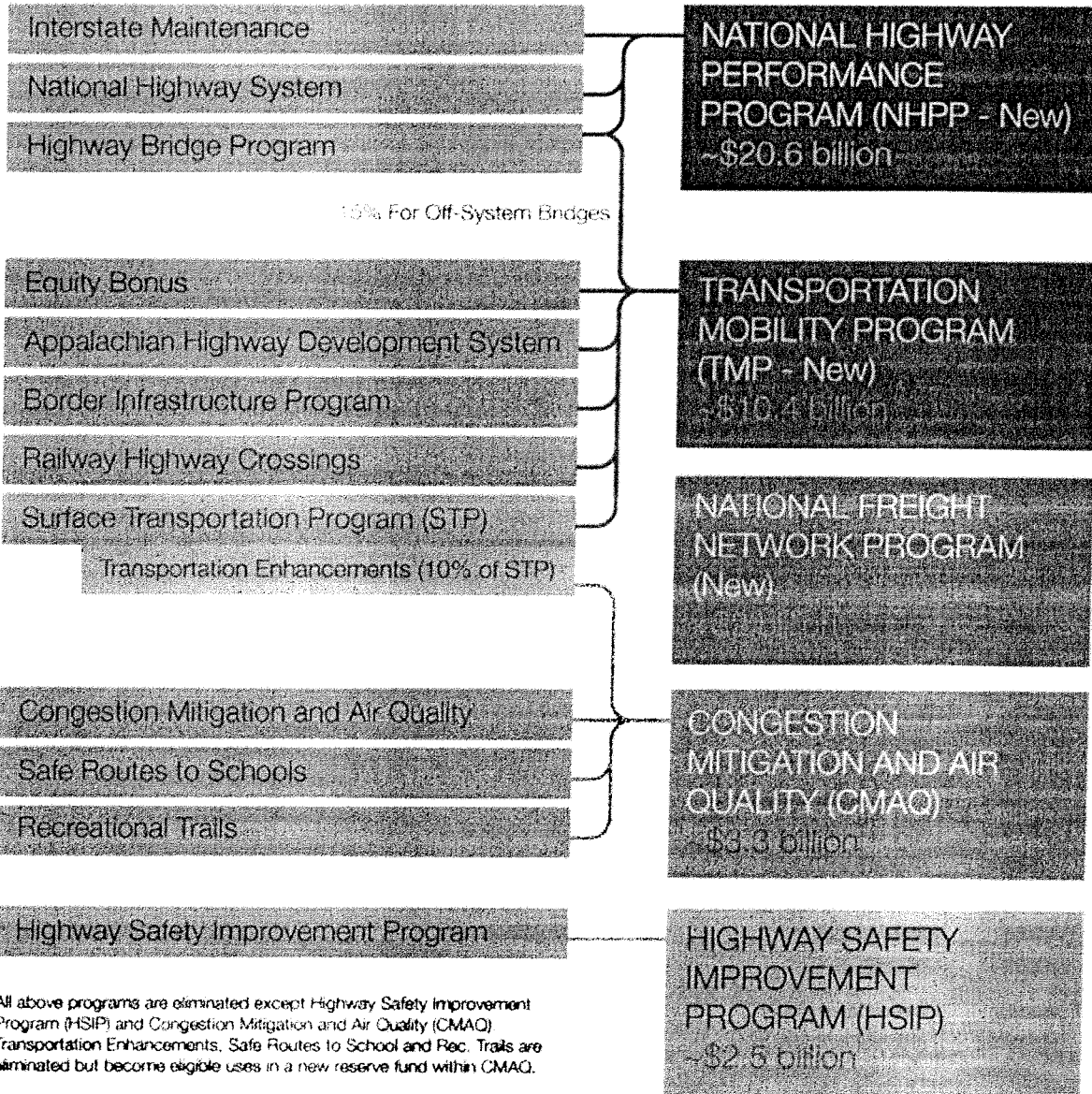


Restructuring of Core Highway Programs Under the Senate's MAP-21 Transportation Reauthorization Proposal



Current Formula Programs

MAP-21 Core Program Structure



Summary of the Senate MAP-21 transportation bill proposal

Posted on [November 8, 2011](#) by [Stephen Lee Davis](#)

Crossposted from [Transportation for America](#).

The Senate Environment and Public Works Committee released [a draft of the transportation bill late Friday](#). The EPW committee's portion of the bill covers what's known as the "highway" title. (The Banking Committee is responsible for writing the "transit" title and the Commerce Committee covers rail and safety. Those sections of the bill have not been released yet.)

We've prepared a short few pages on what MAP-21 means for the federal transportation program. This top-line analysis is a bit on the wonky side, but hopefully it'll be helpful if you've been trying to summarize the 600 pages of bill text.

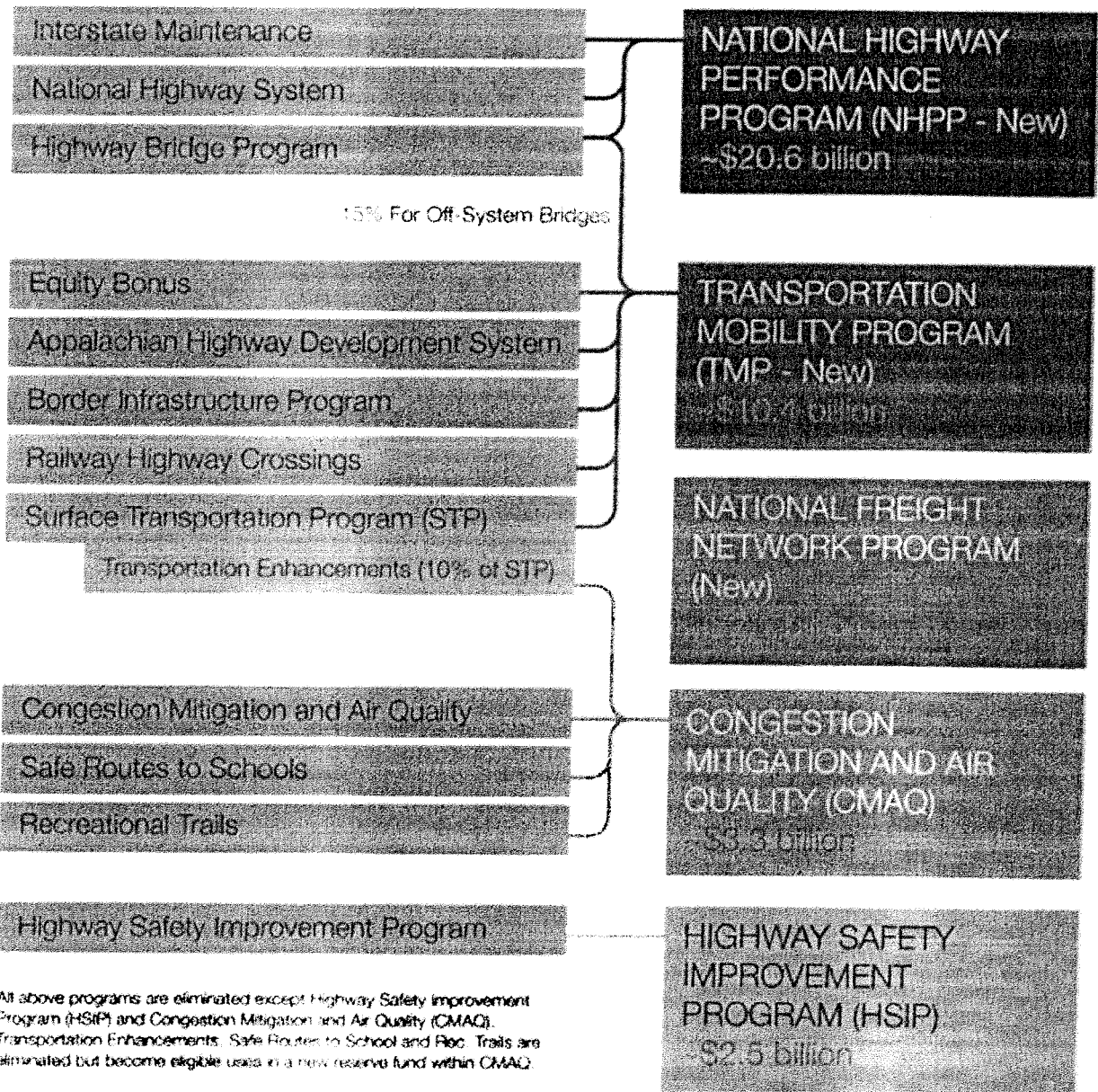
One of the most visible changes MAP-21 makes is to restructure seven core highway programs and 13+ formula programs into just five core highway programs. This graphic below illustrates those changes. Read on for the full summary, which you can also download here. ([PDF](#))

Restructuring of Core Highway Programs Under the Senate's MAP-21 Transportation Reauthorization Proposal



Current Formula Programs

MAP-21 Core Program Structure



MAP-21 consolidates numerous FHWA programs into five core programs. The new program structure is as follows.

National Highway Performance Program (NHPP): ~\$20.6 billion

This program focuses on repairing and improving an expanded National Highway System (NHS). The NHS is expanded from ~160,000 miles to ~220,000 miles. States are required to develop asset management plans and as a part of these plans establish performance targets for the condition of roads and bridges and the performance of the system. In addition, the program includes provisions to hold states accountable for the repair of Interstate pavement and NHS bridges by requiring that they spend a certain amount of funding on the repair of those facilities if they fall below minimum standards established by USDOT.

Transportation Mobility Program (TMP): ~\$10.4 billion

This program replaces the existing Surface Transportation Program (STP) and allows states and regions to invest flexible dollars in a broad set of highways, transit projects, freight rail projects, and bicycle and pedestrian projects, as well as other activities like travel demand management. Fifty percent of these funds are suballocated to areas in the state based on their population. While this percentage is lower than the current 62.5 percent, the absolute amount of funding to be suballocated will remain the same due to an increase in program size.

Highway Safety Improvement Program (HSIP): – \$2.5 billion

This program provides funding to states to improve safety for all road users on all public roads. A road user is defined as both motorists and non-motorized users. States are required to collect extensive data on crashes and create a database containing information on safety issues for all public roads including identification of hazard locations. (8% of all funds in this program are set-aside for data collection.) States must also develop a strategic highway safety plan using the data collected. If states do not develop a strategic highway safety plan within a year using a process approved by USDOT, they are required to spend additional funding on safety projects. States are also required to develop performance targets on fatalities and serious injuries.

Congestion Mitigation Air Quality Program (CMAQ): ~\$3.3 billion

In the CMAQ program there are two pots of funding – one that funds typical CMAQ projects and another “reserved” fund.

- CMAQ pot. Funds are provided to states and tier I Metropolitan Planning Organizations (MPOs) to address the impacts of the transportation system on national ambient air quality standards. In states with non-attainment or maintenance areas, 50 percent of the funds are suballocated to tier I MPOs based on the area’s status with national ambient air quality standards. Funds cannot be used to construct new travel lanes except for HOV or HOT lanes. USDOT is required to develop performance measures for air quality and congestion reduction. Tier I MPOs that receive funds under this program are required to develop a performance plan that outlines baseline conditions, targets for each of the performance measures developed by USDOT, and a description of projects to be funded, including how those projects will help meet the targets.
- “Reserved” pot. This pot of funding is equal to the amount of funds provided for the Transportation Enhancements set-aside in FY09. Eligible activities under this pot include the following: transportation enhancements, safe routes to school, recreational trails, environmental mitigation, and certain types of road projects (including street redesigns

and HOV lanes). States are allowed to use these funds for CMAQ projects (the first pot) if they build up an unspent balance of year and a half worth of funds.

National Freight Program: ~\$2.1 billion

USDOT is directed to establish a primary freight network consisting of 27,000 miles of key freight corridors. States can use funds for highway projects that improve freight movement with a focus on the primary freight network and key rural freight corridors. A state may use up to 5 percent of funds for rail or maritime projects subject to certain conditions. USDOT must also develop a National Freight Strategic Plan, which will analyze performance and conditions on the primary freight network, identify bottlenecks, estimate future freight volumes and identify best practices for mitigating impacts of freight movement on communities. USDOT shall publish a Freight Condition and Performance Report on a biennial basis. States must establish performance targets and report on progress every two years.

Other key components:

TIFIA program – \$1 billion. MAP-21 expands the TIFIA program from \$122 million to \$1 billion and modifies the program from a competitive application process to a rolling application process. Provisions have been added that allow for applicants to enter into master credit agreements to provide funding for a suite of projects at once. In addition, there are modifications that make it easier for public transportation agencies with dedicated revenue sources to apply for TIFIA loans.

Planning and Performance. MAP-21 creates performance measures for conditions on the National Highway System (NHS), NHS performance, safety, freight, congestion mitigation and air quality. As part of the development of the plan, states and large MPOs shall analyze the baseline conditions for the performance measures and establish performance targets for each performance measure. The plan must include the future performance of their transportation system with regards to these performance measures including whether or not they will achieve their performance targets. Large MPOs may undertake scenario planning as a part of the development of their long-range plans. Smaller MPOs are required to develop long-range plans and USDOT will establish rules that provide for the standards they must meet regarding the performance measures required for the larger MPOs.

Statewide transportation improvement programs (STIPs) and metropolitan transportation improvement programs (TIPs) must include performance measures and targets used in assessing the existing and future performance of the transportation system. A system performance report must include progress toward achieving state performance targets.

Project Delivery. MAP-21 includes numerous provisions intended to accelerate project delivery. Most of these provisions relate to administrative actions to be taken by USDOT. There are also provisions that relate to expanding the types of projects that can be undertaken through a categorical exclusion (a more limited environmental review). In addition, it allows for the earlier acquisition of right-of-way.

Tuesday, November 22, 2011 | [Comment](#)

What Will the Senate Bill's Transit Section Look Like?

by [Katie Pearce](#) on November 22, 2011

Though the House Republicans are stealing the show these days with their endeavor to [tie infrastructure funding to oil drilling](#), let's not forget there's a serious, bipartisan transportation reauthorization bill out there that actually has a chance of passage: the Senate's [MAP-21](#). On its path toward a full Senate vote, that two-year bill is paused at its latest checkpoint: the Banking, Housing and Urban Affairs Committee. The committee is now busy tackling the transit title of the "MAP-21" legislation, following unanimous approval of the ["highway" portion two weeks ago by the EPW Committee](#). (Quick reminder: the funding in the highway title can be spent on many things that are not highways, like transit systems and bike lanes.)

Federal funding for new buses is nice, but it's even better if the new bill allows some money to be used to pay people to drive those buses. Photo: [PBA](#)

With a markup anticipated in early December, the Banking Committee is keeping mum on what changes may be in store for transit, but Streetsblog has managed to glean a few indicators.

One basic funding detail that seems already locked down is that the longstanding 80/20 division between highway and transit funds will be maintained. The EPW highway bill lays out \$109 billion in total spending over two years, with \$85 billion allotted toward highways – meaning transit should expect to see most of the remaining \$24 billion, minus whatever is shaved off to fund programs that make motor vehicles safer for passengers.

Some transit and environmental advocates had been hoping that a reauthorization bill would finally give transit a larger slice of the pie, especially after President Obama announced in February that he'd like to see something closer to a [74/26 split](#).

"In an ideal world, yes – the share should be increased to a quarter or a third if not more," said Deron Lovaas, federal transportation policy director for NRDC. But right now, he said, "it's pretty clear that's not going to be the case."

Phineas Baxandall of U.S. PIRG views this as a ["disappointment,"](#) noting that current transit funding is "inadequate" and lamenting that the EPW "has not made room for greater transit investment."

"America needs to invest in more and better public transportation to meet the rising demand for ridership and reduce our nation's dependence on oil," Baxandall said.

The EPW bill sets the tone for transit in other ways as well. It emphasizes streamlining and consolidation – the bill whittles 90 federal highway programs down to 30. Will the Banking Committee repeat this kind of consolidation with the transit portion?

“That’s a big question,” said Lovaas. “Presumably, that’s something they’d want to bring to transit.”

Brian Tynan, director of government relations at APTA, said a move in that direction would only be natural. The tide is generally shifting, he said, toward “making it easier for transit agencies and their communities to move forward on these projects; to get these things built faster or more efficiently.”

But David Goldberg, communications director for Transportation for America, predicted that the proposals for transit won’t be as dramatic as the ones for highways. “We don’t think there’s going to be the kind of reform or change that they’re reaching for in the highway title,” he said. “We’re expecting that they’ll keep the existing framework... We expect some program consolidation, but we don’t expect a big reworking.”

And then there’s the unusual note of bipartisan accord the EPW bill struck, passing 18-0.

“I hope we can see a similar vote in the Senate banking committee,” said Tynan. The EPW Committee was “able to find common ground on a number of things,” he said. “I think that’s a good sign.”

Testimony from a May Banking Committee hearing, featuring FTA administrator Peter Rogoff and then-APTA president Bill Millar, offered an early preview of issues the transit title might address:

Increased flexibility for spending on operating costs. Some believe one long-sought goal of transit advocates – operations funding for all transit systems – could make its way into MAP-21.

Currently, the “Urbanized Area Formula Funding” program restricts areas with populations above 200,000 to using federal transit funds for capital projects. Advocates would like to see temporary, targeted funding available for operating costs for agencies of all sizes.

“What we’ve seen is that, just as demand for transit increases because of an economic downturn or spiking gas prices, transit systems have had some of the worst trouble in maintaining their service,” said Steven Higashide, federal advocate for the Tri-State Transportation Campaign. “Giving them the flexibility to have funds for operating could iron out some of these shocks.”

There are a few different ideas out there about how exactly this flexibility should apply. One of the latest proposals – legislation introduced by Rep. Russ Carnahan (D-MO) – suggests that unemployment rates and gas-price spikes could trigger eligibility.

“Obama in the past has proposed more limited flexibility,” said Higashide. “At this point we’re just not sure where the Banking Committee stands on this issue.”

It’s probable that some major cities would balk at such a change, which could draw funds away from their own complex operations and destine them for smaller metros.

Streamlining of the New Starts program. It seems likely the bill will in some way address criticisms of the New Starts program, which gives out discretionary grants to various types of new bus and rail projects. Many have criticized its approval processes as thanklessly time-consuming and costly.

Projects are “getting in an awfully long line and waiting an awfully long time to get the full funding agreement to get their projects done,” said Goldberg.

Both the FTA and APTA support streamlining the three-step New Starts process. They say a “Project Development” stage could replace two existing steps, while the redundant “Alternative Analysis” step could be dropped.

The FTA also recommended eliminating the program’s “Small Starts” project category in favor of two new ones: Capital Investment Grant projects and Exempt projects, which request less than 10 percent of their funds from this program, not exceeding \$100 million.

In August, though, the FTA backed off from its proposals, advising no major changes to New Starts or Small Starts.

New programs for workforce development. One idea that’s won support is a proposal by Rep. Jerrold Nadler (D-NY) to simultaneously fight unemployment and provide trained workers for transit systems. Under his plan, the FTA would set up a central workforce development council, along with 10 regional councils, which would identify skills gaps and develop corresponding training programs for the transit industry.

The FTA wants to target the training funds in areas of high unemployment and set requirements for local hiring on certain construction projects.

Consolidation of specialized transportation funding. A provision included in Obama’s FY2012 transportation budget, backed by APTA and the FTA, would merge three separate programs: Job Access and Reverse Commute, helping low-income earners travel to work; New Freedom, targeting transit users with disabilities; and the Elderly and Disabled Formula. The first two programs give grants through state and public bodies, while the latter works through private nonprofits.

Countless other proposals have been under discussion as well, including support for innovative projects and research, transit funding after disasters, and performance-based planning and incentives.

“I think they want to move quickly,” Lovaas said of the committee’s work right now. “The hope is for the transit and safety titles to be marked up as quickly as possible, which ramps up the pressure on the Finance Committee.”

Still, Goldberg warned that “some ideological positions or skepticism about transit-oriented development” might be part of the debate, making the process longer and more partisan than in the past.