



## **Introduction**

The Senate recently approved historic spending in a \$1.2T bill that will reauthorize the nation's surface transportation and drinking water and wastewater legislation and pour additional billions into new programs in transportation, energy transmission, resilience, broadband, and many others. The Infrastructure Investment and Jobs Act (IIJA, which will be referred to in this paper as the BID – Bipartisan Infrastructure Deal) includes approximately \$550B in new spending, approximately half of which goes to the U.S. Department of Transportation. The result is higher funding levels in existing programs and the creation of many new programs as well.

What follows is a compilation of the most relevant information for Metropolitan Planning Organizations (MPOs), Regional Transportation Planning Organizations (RTPOs), and regions generally in the Senate's bill. This document contains a significant amount of detail; possibly too much detail. This pales in comparison with the detail that the entire bill contains, which is orders of magnitude greater than what is included here. However, if you want more detail than what you find here, including the non-MPO/RTPO specific provisions in the transportation portion of the BID, [here is the link to the section-by-section analysis of the transportation portions of the bill](#).

Wait, you are asking, does this mean that Congress has solved the problems with the Highway Trust Fund? In short, no, dear reader, it does not mean any such thing. Once again, Congress simply kicks the proverbial can (which must be quite dented by now, come to think of it) down the road for another five years by transferring \$118 billion (\$90 billion to the Highway Account and \$28 billion to the Transit Account) from the General Fund to the Highway Trust Fund (HTF), and would bring the total transferred into the HTF to keep it solvent to nearly \$272 billion since 2008. This saves the day for now, of course, but it means in five years the cliff will be that much steeper when we prepare to do this all again.

## **Funding**

In total, the U.S. Department of Transportation (USDOT) will receive \$567.5 billion from the BID. Of that amount, \$293.4B is "baseline" spending (the level of spending from the current reauthorization bill, the FAST Act). That means USDOT will receive \$274.1 billion in new spending authority, which is almost exactly half of the \$550 billion in new spending that the BID contains overall. Of that \$274 billion, \$90 billion is provided as contract authority through the reauthorization bill. The other \$184 billion in new spending is provided in "guaranteed appropriations" – funding that is outside of the HTF funding structure, in some cases to provide additional funding for existing programs and in others to create new programs. Much of this is spelled out in the large chart below.

### **Funding Types**

The BID contains three types of funding:

1. Highway Trust Fund – These are funds taken from either the Highway Account or the Transit Account of the Highway Trust Fund. These funds are provided as Contract Authority over the five years of the bill and act like "real money" that is available to spend.
2. Guaranteed Appropriations – These are funds added by the bipartisan agreement and used to either increase funding for existing programs or create and fund new programs. Most of these funds will also be provided over five years but are "real" funds that do not need any additional action in the future to be made available.
3. General Fund – These are funds that have been "authorized" to be spent but require future action by the Appropriations Committee to be made available. It is likely that most of these funds will end up in the authorized pots, but examples do exist of programs that were authorized but never appropriated.

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## Funding by Agency and Type

The following chart shows the funding each USDOT agency receives and breaks it out by these different funding types.

Table 1. Funding by USDOT Agency for each type of funding

Agency	Highway Trust Fund	Guaranteed Appropriations	General Fund (subject to appropriation)
FHWA	\$304.0B	\$47.3B	\$14.6B
FTA	\$69.9B	\$21.3B	\$15.8B
Multimodal			\$21.9B
FRA		\$66.0B	\$36.2B
FMCSA	\$4.5B	\$0.67B	
NHTSA	\$5.0B	\$1.61B	\$2.8B
Research/Innovation			\$0.6B
Hazmat*			\$0.6B
OST		\$19.0B	\$1.3B
FAA		\$25.0B	
MARAD		\$2.3B	
PHMSA		\$1.0B	
<b>HTF – Highways</b>			
HTF – Highways	\$313.5B		
<b>HTF – Transit</b>			
HTF – Transit	\$69.9B		
Totals	\$383.4B	\$184.2B	\$93.5B
Total “Real” Funding: \$567.5B			

The Federal Highway Administration’s (FHWA’s) total funding is \$351.3B, an increase of approximately \$105B. FHWA will receive \$304B in Contract Authority (plus another \$14B from the General Fund, but those funds are subject to appropriation and not included in the total) and an additional \$47.3B in guaranteed appropriations (these amounts are included in totals, because their funding is guaranteed by funds provided in the BID).

The Federal Transit Administration (FTA) will receive \$91.2B through the BID. FTA will receive \$69.9B in Contract Authority (plus \$15.75B from General Funds subject to appropriation, most of which would go to the Capital Investment Program (CIG)) and an additional \$21.3B in guaranteed appropriations. This total includes \$8.0B for the CIG that is provided directly by the BID.

The Federal Railroad Administration (FRA) receives \$66B influx of funding through guaranteed appropriations, a massive amount relative to what it typically receives in a year. The reauthorization bill also contains a rail title, but with no rail trust fund, the entire \$36.2B authorization is from the General Fund and is subject to future appropriations. There is \$21.9B for “multimodal” projects, including \$10B for National Infrastructure Investments and \$7.5B for RAISE (nee BUILD nee TIGER) Grants, but that entire amount is from the General Fund and subject to future appropriations. RAISE receives \$7.5B from guaranteed appropriations as well.

Other funding is for the Federal Motor Carrier Safety Administration (FMCSA), which will receive \$5.1B in the BID (\$4.5B in Contract Authority and \$670M in guaranteed appropriations) and the National Highway Traffic Safety Administration (NHTSA), which will receive \$6.7B (\$5.0B in Contract Authority and \$1.6B in guaranteed appropriations, plus another \$2.75B from General Fund (subject to appropriations), including \$1B for the Safe Streets and Roads for All grant program). Safe Streets receives \$1B in guaranteed appropriations as well. There is also \$550M for Research and Innovation, including

\$500M for the SMART Grant program, but all of that is also from the General Fund. Another \$500M for SMART grants is included in the guaranteed appropriations.

Outside of the reauthorization portion of the bill, the Office of the Secretary of Transportation (OST) receives \$19B in guaranteed appropriations in total in the BID; the FAA receives \$25B; and the Maritime Administration (MARAD) and Pipeline and Hazardous Materials Safety Administration (PHMSA) also receive small amounts.

### Funding by Program

This chart is a program-by-program overview of how the BID spends some of the funds in contains. Not all programs within the bill are included in this chart; primarily those most relevant to MPOs and regional organizations.

Table 2. Funding by Program

Agency	Program	5-year Funding	Funding Source
FHWA	National Highway Performance Program (NHPP)	\$148.0B	Highway Trust Fund (HTF)
FHWA	Surface Transportation Block Grant Program (STBGP)	\$72.0B	HTF
FHWA	STBGP Set-Aside (Transportation Alternatives)	\$7.2B	HTF
FHWA	Highway Safety Improvement Program (HSIP)	\$15.56B	HTF
FHWA	Carbon Reduction Program	\$6.42B	HTF
FHWA	Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Grant Program - Formula Funds	\$7.3B	HTF
FHWA	PROTECT Discretionary Grants	\$1.4B	HTF <ul style="list-style-type: none"> <li>• \$250,000,000 for FYs 2022-2023 <ul style="list-style-type: none"> <li>○ \$25M/ year - planning grants</li> <li>○ \$175M/year - resilience grants</li> <li>○ \$25M/year - community resilience and evacuation route grants</li> <li>○ \$25M/ year - at-risk coastal infrastructure grants</li> </ul> </li> <li>• \$300,000,000 for FYs 2024-2026 <ul style="list-style-type: none"> <li>○ \$30M/year - planning grants</li> <li>○ \$210M/year - resilience grants</li> <li>○ \$30M/year - community resilience and evacuation route grants</li> <li>○ \$30M/year - at-risk coastal infrastructure grants</li> </ul> </li> </ul>
FHWA	Rail Grade Crossings (formula)	\$1.23B	HTF
FHWA	Congestion Mitigation and Air Quality (CMAQ)	\$13.2B	HTF
FHWA	National Freight Program	\$7.15B	HTF
FHWA	Metropolitan Planning (highway)	\$2.28B	HTF
FHWA	Ferry Boats and Terminals	\$912M	<ul style="list-style-type: none"> <li>• \$570M (HTF)</li> <li>• \$342M (guaranteed appropriations)</li> </ul>
FHWA	TIFIA	\$1.25B	HTF
FHWA	Tribal Transportation Program	\$3.0B	HTF
FHWA	Federal Lands Transportation Program	\$2.2B	HTF
FHWA	Federal Lands Access Program	\$1.49B	HTF
FHWA	Territorial and Puerto Rico Highway Program	\$1.14B	HTF
FHWA	INFRA Grants	\$8.0B	<ul style="list-style-type: none"> <li>• \$4.8B (HTF)</li> <li>• \$3.2B (guaranteed appropriations)</li> <li>• \$6.0B (General Fund, subject to appropriation, not included in total)</li> </ul>
FHWA	Bridge Program (formula)	\$27.5B	Guaranteed Appropriations
FHWA	Bridge Investment Program	\$12.5B	<ul style="list-style-type: none"> <li>• \$3.3B (HTF)</li> <li>• \$9.235B (guaranteed appropriations)</li> <li>• \$3.3B (General Fund, subject to appropriation, not included in total)</li> </ul>

OST	National Infrastructure Project Assistance Grants	\$5.0B	Guaranteed Appropriations
OST	RAISE (formerly BUILD formerly TIGER) Grants	\$7.5B	<ul style="list-style-type: none"> <li>\$7.5B (guaranteed appropriations)</li> <li>\$7.5B (General Fund, subject to appropriation, not included in total)</li> </ul>
OST	SMART Grants	\$500M	<ul style="list-style-type: none"> <li>\$500M (guaranteed appropriations)</li> <li>\$500M (General Fund, subject to appropriation, not included in total)</li> </ul>
OST	Safe Streets and Roads for All Grants	\$5.0B	<ul style="list-style-type: none"> <li>\$5.0B (guaranteed appropriations)</li> <li>\$5.0B (General Fund, subject to appropriation, not included in total)</li> </ul>
OST	National Culvert Removal/Replacement	\$1.0B	Guaranteed Appropriations
FHWA	Congestion Relief Program	\$250M	HTF
FHWA	EV Charging Infrastructure (formula)	\$5.0B	Guaranteed Appropriations
FHWA	Charging and Refueling Infrastructure Grants	\$2.5B	HTF
FHWA	Rural Surface Transportation Grant Program	\$2.0B	HTF
FHWA	Reduction of Truck Emissions at Port Facilities	\$400M	<ul style="list-style-type: none"> <li>\$250M (HTF)</li> <li>\$150M (guaranteed appropriations)</li> </ul>
FHWA	Nationally Significant Federal Lands and Tribal Projects	\$275M	<ul style="list-style-type: none"> <li>\$275M (HTF)</li> <li>\$1.5B (General Fund, subject to appropriation, not included in total)</li> </ul>
FHWA	Tribal High Priority Projects Program	\$150M	General Fund, subject to appropriation
FHWA	Healthy Streets Program	\$500M	General Fund, subject to appropriation
FHWA	Transportation Resilience and Adaptation Centers of Excellence	\$500M	General Fund, subject to appropriation
FHWA	Administrative expenses for FHWA	\$2.55B	HTF
FHWA	Appalachian Development Highway System	\$1.25B	Guaranteed Appropriations
FRA	Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grants	\$5.0B	Guaranteed Appropriations
FRA	Northeast Corridor Grants	\$6.0B	Guaranteed Appropriations
FRA	National Network Activities	\$16.0B	Guaranteed Appropriations
FRA	Federal-State Partnership for Intercity Passenger Rail	\$36.0B	Guaranteed Appropriations
FTA	State of Good Repair Grants	\$4.8B	Guaranteed Appropriations
FTA	Low or No Emission Grants	\$5.3B	Guaranteed Appropriations
FTA	Enhanced Mobility Formula Grants	\$250M	Guaranteed Appropriations
FTA	Capital Investment Grants	\$8.0B	Guaranteed Appropriations
FTA	All Stations Accessibility Program	\$1.8B	Guaranteed Appropriations
FTA	Electric or Low-Emitting Ferry Program	\$250M	Guaranteed Appropriations
FTA	Ferry Service for Rural Communities	\$1.0B	Guaranteed Appropriations
MARAD	America's Marine Highway Program	\$25.0B	Guaranteed Appropriations
MARAD	Port Infrastructure Development Program	\$2.3B	Guaranteed Appropriations
PHMSA	Natural Gas Distribution Infrastructure Safety and Modernization Grant Program	\$1.0B	Guaranteed Appropriations
FMCSA	Motor Carrier Safety Operations and Programs	\$50M	Guaranteed Appropriations
FMCSA	Motor Carrier Safety Grants	\$622.5M	Guaranteed Appropriations
NHTSA	Crash Data	\$750M	Guaranteed Appropriations
NHTSA	Vehicle Safety and Behavioral Research Programs	\$548.5	Guaranteed Appropriations
NHTSA	Supplemental Traffic Safety Programs	\$310M	Guaranteed Appropriations
NHTSA	Research, Technology, and Education Authorizations		Guaranteed Appropriations
FAA	Facilities and Equipment	\$5.0B	Guaranteed Appropriations
FAA	Airport Infrastructure Grants	\$15.0B	Guaranteed Appropriations
FAA	Airport Terminal Program	\$5.0B	Guaranteed Appropriations
FHWA	Highway Research and Development Program	\$735M	HTF
FHWA	Technology and Innovation Deployment Program	\$550M	HTF
FHWA	Training and Education	\$127.5M	HTF
FHWA	Intelligent Transportation System Program	\$550M	HTF
FHWA	University Transportation Centers Program	\$500M	<ul style="list-style-type: none"> <li>\$405M (HTF)</li> <li>\$95M (guaranteed appropriations)</li> </ul>
FHWA	Bureau of Transportation Statistics	\$132.5M	HTF
	<b>Pilot Programs</b>		
FHWA	Wildlife Crossings Pilot Program	\$350M	HTF
FHWA	Prioritization Process Pilot Program	\$50M	HTF

FHWA	Reconnection Communities Pilot Program	\$1.0B	<ul style="list-style-type: none"> <li>• \$150M for Planning Grants (HTF)</li> <li>• \$350M for Capital Construction Grants (HTF)</li> <li>• \$500M (guaranteed appropriations)</li> </ul>
FHWA	Open Challenge and Research Proposal Pilot Program	\$75M	General Fund, subject to appropriation

### Formula vs. Discretionary

Another way to look at this chart is to consider the new programs in light of how each will distribute the available funds. Of the \$154B in USDOT grant funds provided in the BID, approximately one-third are distributed by formula, leaving more than \$100B to be distributed through discretionary grants with the ultimate decisions on who gets funding lying with the USDOT itself. That is a tremendous amount of new resources in competitive grants, and will require significant staffing up by the agency to ensure these funds start rolling out to states and localities in a timely manner. It also raises concerns about how well traditionally underserved communities and others will fare in such a competitive environment for funding.

Table 3. Funding by distribution method.

Appropriations for USDOT Grants to State/Local Governments in BID			
		Formula	Competitive
OST	Megaprojects		5,000.0
OST	RAISE Grants		7,500.0
OST	Safe Streets		5,000.0
OST	Culverts		1,000.0
OST	SMART		500.0
FAA	Airport Grants - Airside	14,900.0	100.0
FAA	Airport Grants - Terminals		5,000.0
FHWA	Bridge Program	27,500.0	9,235.0
FHWA	EV Charging Infrastructure	5,000.0	
FHWA	INFRA Grants		3,200.0
FHWA	Reduce Truck Emissions in Ports		150.0
FHWA	Reconnecting Communities		500.0
FHWA	Ferry Boats and Terminals	342.0	
FHWA	Appalachian Highways	1,250.0	
FRA	CRISI Grants		5,000.0
FRA	Railroad Crossing Elimination		3,000.0
FRA	Fed.-State Partnership for IPR		36,000.0
FTA	State of Good Repair Grants	4,750.0	
FTA	Low-No Emission Bus Grants		5,250.0
FTA	Capital Investment Grants		8,000.0
FTA	ADA Upgrades to Rail Transit		1,750.0
FTA	Electric or Low-Emission Ferries		250.0
FTA	Rural Passenger Ferry Service		1,000.0
MARAD	Port Infrastructure Development		2,250.0
PHMSA	Nat. Gas Pipeline Modernization		1,000.0
<b>Total, US Department of Transportation</b>		<b>53,742.0</b>	<b>100,685.0</b>

Source: Eno Transportation Weekly

## Apportionment

Apportionment describes both how funds are divided (apportioned) between states and how funds are divided between programs within reauthorization. Regarding the latter, the Senate bill makes major changes to how funds are apportioned between programs by adding two new programs to the “core apportionment” programs that appeared in the FAST Act. Each “core apportioned” program gets a set percentage of a portion of the bill, so adding new programs means the programs that already existed get less to accommodate the new arrivals. In this case, Congress added a Carbon Reduction Program and a PROTECT grant program focused on increasing resilience.

Table 4. Core Apportioned Programs

	STRA 5-year Funding	% Increase	STRA Apportionment*	FAST Apportionment
NHPP	\$148.0B	27%	59.0771195921461%	63.7%
STBGP	\$72.0B	24%	28.7402203421251%	29.3%
HSIP	\$15.6B	34%	6.70605141316253%	7.0%
Carbon Reduction Program	\$6.42B	n.a.	2.56266964565637%	--
PROTECT Program	\$7.3B	n.a.	2.91393900690991%	--

\* the percentages listed in the bill are really this specific

Table 5. Other Apportioned Programs

Program	STRA 5-year Funding	% Increase
CMAQ	\$13.2B	10%
National Freight Program	\$7.15B	13%
STBGP Set-Aside (Transportation Alternatives)	\$7.2B	71%
Metropolitan Planning (highway)	\$2.28B	32%
Metropolitan Planning (transit)	\$0.8B	42%

Other Apportionment Provisions:

- **Guaranteed amounts:** Requires that each states’ apportionment is equal to at least 95% of estimated tax payments paid into the HTF (this language is in existing law) but adds additional language further requiring that a states’ apportionment must be at least 2% higher than the apportionment received for FY2021 and at least 1% greater than the apportionment received for the previous fiscal year.
- Eliminates metropolitan planning set aside within the National Highway Freight Program.
- Strikes section regarding “supplemental funds” – in ATIA (last session’s Senate reauthorization bill) this was used to pump an additional \$1 billion into the National Highway Performance Program (NHPP) without similar increases for other programs.

## Program Policy Changes

### **Surface Transportation Block Grant Program (STBGP) (including Transportation Alternatives Program (TAP))**

- STBGP suballocation remains at 55%.
- Modifies the “population bands” within the program, ensuring that funds are spent in urban areas with population of 50K-199,999 in proportion to their share of the overall population within their state. Requires that a state establish a consultation process with all MPOs in these areas and describe how funds allocated for these areas will be allocated equitably among the applicable urbanized areas. Further, states must consult with a Regional Transportation Planning Organization (RTPO) if one exists for areas under 50K.

- Expands eligibility to include:
  - Construction of wildlife crossing structures and other projects and strategies to reduce wildlife-vehicle collisions
  - Installation of EV charging infrastructure and vehicle-to-grid infrastructure
  - Installation and deployment of intelligent transportation technologies
  - Planning and construction of projects that facilitate intermodal connections between emerging transportation technologies such as magnetic levitation (Maglev) and hyperloop
  - Projects that use “natural infrastructure” to enhance resilience
  - Cybersecurity threat protection
  - Rural barge landing and waterfront infrastructure projects (allows a state to use up to 5% of its STBGP apportionment for this purpose)
  - Construction of privately-owned ferry terminal facilities (when determined by the Secretary to provide substantial public transportation benefit)
  - Projects to enhance travel and tourism
- Increases required set-aside for off-system bridges to 20% (15% in current law)
- Transportation Alternatives Program (TAP):
  - Funding is substantially increased; TAP funding level is now 10% of STBGP
  - TAP suballocation is increased to 59% (currently 50%)
  - States may allocate 100% of its funding to “counties and other local transportation entities”
  - Makes MPOs serving an urbanized population of 200,000 or fewer an “eligible entity” to receive TAP funds
  - States may use up to 7% of TAP funds to “improve the ability of applicants to access funding for projects”; and increases flexibility in calculating federal share under TAP

### **Congestion Mitigation and Air Quality (CMAQ)**

- New eligibilities:
  - Diesel replacement (under specific standards as outlined)
  - Shared micromobility
  - Purchase of medium- or heavy-duty zero emission vehicles and related charging equipment
  - Lock and dam modernization and marine highway corridor projects eligible under certain circumstances
    - Allows up to 10% of CMAQ funds to be obligated to these types of projects
- Adds a provision to the performance plan section that allows an MPO to request assistance in tracking progress made in minority or low-income populations.
- Allows CMAQ funds to be used for operating assistance for public transportation projects. There is no time limit using these funds for operating assistance in non-urbanized areas and in urbanized areas with population of 200,000 or fewer.

### **Transportation Planning (PL)**

- Requires MPOs, when first designating officials, to consider “the equitable and proportional representation of the population of the metropolitan planning area.”
- Clarifies language regarding the designation of more than 1 MPO in an urbanized area; requires consistency in data used for planning when there is more than 1 MPO within an urbanized area; and clarifies that there is no requirement that these MPOs perform joint planning (as would have been required under the MPO rule).

- Allows states and MPOs to use social media and other web-based tools to encourage public participation and solicit public feedback.
- [ADDED IN FINAL SENATE BILL]: Requires MPOs to consult with officials responsible for housing, adds housing to the scope of the planning process, encourages MPOs that do scenario development to include assumed distribution of population and housing as a component, and includes affordable housing organizations as interested parties that should have an opportunity to comment on a transportation plan.
- [ADDED IN FINAL SENATE BILL]: Adds a “housing coordination process” for a Transportation Management Area (TMA) where it may address the integration of housing, transportation, and economic development strategies. A TMA may develop a housing coordination plan that includes projects and strategies that may be considered in the Metropolitan Transportation Plan (MTP), including regional goals for the integration of housing, transportation and economic development, identifying the location of existing and planned housing and employment and transportation options to connect housing and employment, and a comparison of transportation plans to land use management plans.

### **Fiscal Constraint**

- Requires USDOT, within one year, to update the Code of Federal Regulations “to ensure that the outer years of a metropolitan transportation planning are defined as ‘beyond the first 4 years.’” This would ease the requirement for fiscal constraint after the 4-year horizon but would not eliminate the requirement altogether.

### **Report on Air Quality Improvements**

- Requires (within three years) a report from the GAO that evaluates the CMAQ program, including reductions of specific emissions resulting from projects under the program; the cost-effectiveness of these reductions; how funds have been invested in minority and low-income communities; the effectiveness of performance measures at helping with attainment for ozone, CO, and particulate matter; whether there are projects that are not eligible under CMAQ that should be; and the extent to which CMAQ projects reduce sulfur dioxide, nitrogen dioxide, and lead.

### **Travel Demand Data and Modeling**

- Within 2 years and every 5 years thereafter, a study will be conducted to gather travel data and travel demand forecasts from a representative sample of states and MPOs to compare forecasts with observed data and uses the results to develop best practices or guidelines to use in forecasting travel demand for future investments, evaluate past investments, and support better forecasting overall.
- Contains a provision for the development of a tool to “evaluate the effect of investments in highway and public transportation projects on the use and conditions of all transportation assets...”

### **Increasing Safe and Accessible Transportation Options**

- Requires states to use no less than 2.5% of state planning and research funds and MPOs to use no less than 2.5% of metropolitan planning (PL) funds to carry out 1 or more activities “to increase safe and accessible options for multiple travel modes for people of all ages and abilities,” which may include development of Complete Streets standards; development of Complete Streets prioritization plan; development of active transportation plans; regional or megaregional planning to consider alternatives to new highway capacity; or development of plans and policies to support transit-oriented development.
- Federal share is 80% unless the Secretary determines that the interests of the program are best served by reducing or eliminating the non-federal share.



- MPOs and states can avoid the set-aside requirement by demonstrating they have Complete Streets standards and policies in place and have developed an up-to-date Complete Streets prioritization plan.

### **Research and Technology Development and Deployment**

- In carrying out the highway research and development program, adds new requirements to engage the public and private entities “to spur advancement of emerging transformative innovations through accelerated market readiness” and consult frequently with public and private entities on new transportation technologies.
- Adds new eligibilities under this program: study of safety measures to reduce wildlife-vehicle collisions and eligible expense; studies on the deployment and revenue potential of energy and broadband deployment in highway rights-of-way; research on non-market-ready technologies in consultation with public and private entities; the evaluation of information from accelerated non-market-ready technologies at Turner-Fairbank; and development by USDOT of interactive modeling tools and databases that track the condition of highway assets, assess transportation options, monitor and model network-level traffic flows, and further understanding of regional connectivity.
- Updates infrastructure investment needs report prepared by USDOT to include conditions and performance of the highway network for freight movement, Intelligent Transportation Systems (ITS), resilience, and backlog of current highway, bridge, and tunnel needs.
- Creates a new study of high-friction surface treatment applications.
- Creates a new program to “promote, implement, deploy, demonstrate, showcase, support, and document the application of advanced digital construction management systems, practices, performance, and benefits” and provides \$20M/year for this effort and requires a new report to Congress on this issue.
- Modifies the “advance transportation technologies deployment” program to become the “advanced transportation technologies and innovative mobility deployment,” adds new eligibilities, creates a rural set-aside of 20%, and makes MPOs of 50-200K population eligible recipients (previously only TMAs were eligible).
- Creates a “Center of Excellence on New Mobility and Automated Vehicles,” including research on impacts on land use, urban design, transportation, real estate, equity, and municipal budgets of AVs, docked and dockless bicycles, docked and dockless electric scooters, and TNCs.
- Creates an “Open Challenge and Research Initiative Pilot Program,” under which eligible entities “may propose open highway challenges and research proposals that are linked to identified or potential research needs.” MPOs are not explicitly listed as eligible, but there is a provision that allows any entity to apply that is determined by USDOT to be appropriate. Federal share is 80%. Funding: \$20M for each of fiscal years 2022-2026.

### **Study of Impacts on Roads from Self-Driving Vehicles [ADDED IN FINAL SENATE BILL]**

- Requires a study on the “existing and future impacts of self-driving vehicles to transportation infrastructure, mobility, the environment, and safety...” and shall include consideration of the impacts on both urban and rural areas.
- Requires consultation with a panel of national experts in both rural and urban transportation, including MPOs and RTPOs.

## **Amtrak Daily Long-Distance Service Study**

- Requires a study to evaluate the restoration of daily intercity rail passenger service along long-distance routes that were discontinued or that occur on a nondaily basis, including exploring options for restoring such service.
- Requires consultation with MPOs and RTPOs when conducting this study.
- Funding: \$15M (\$7.5M for each of fiscal years 2022 and 2023).

## **Federal-State Partnership for Intercity Passenger Rail Grants (existing program)**

- Changes program from “Federal-State partnership for state of good repair” to “Federal-State partnership for intercity rail.”
- Changes the list of eligible projects and project selection criteria.
- Up to 5% can be reserved for Regional Planning Guidance Corridor Planning to “carry out planning and development activities...” including development of service development plans, providing guidance for passenger rail systems planning, and providing funding for the development refinement of passenger rail systems planning analytical tools and models.

## **New Formula Programs**

### **Carbon Reduction Program**

- Creates a new formula program to reduce transportation emissions.
- Formula funds are provided to each state based on their share of the overall base apportionment. Of those funds, 65% are suballocated to areas within the state by population (identical to STBGP requirements, as modified by this legislation). Requires coordination with MPOs in areas with population of 50-200K and consultation with RTPOs for areas with population less than 50K. Requires the commitment of obligation authority for all projects in areas with population of 50K and above.
- Eligible projects include:
  - Establishing or operating a traffic monitoring, management, and control facility
  - Public transportation projects
  - Bicycle and pedestrian facilities
  - Advance transportation and congestion management technologies
  - ITS capital improvements and vehicle-to-infrastructure communications equipment
  - Efficient street lighting and traffic control devices
  - Congestion pricing, mode shift, and transportation demand management (TDM)
  - Projects to reduce environmental and community impacts of freight movement
  - Alternative fuel vehicle deployment support
  - Diesel retrofits
  - Certain CMAQ-eligible projects
  - Port congestion reduction
- Funds can be used for any STBGP-eligible use if a state can demonstrate a reduction in transportation emissions.
- Within 2 years, a state in consultation with any MPOs must develop a carbon reduction strategy, which will support efforts to reduce transportation emissions, identify projects and strategies to reduce transportation emissions, support the achievement of targets for reductions, at state discretion quantify the total carbon emission from the production, transport and use of materials

used in the construction of transportation facilities within the state, be appropriate to the population density and context of the state, and be updated every four years.

- Requires the suballocation of 65% of funds to areas with populations over 200K, 50K-200K, and 5K-50K.
- Requires a state to consult with an RTPO when obligating funds for projects in a rural area.
- Requires obligation authority be made available for the spending of these funds.
- Funding: \$6.4B over five years.

### **Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Grant Program**

- Establishes a new PROTECT grant program to provide grants for resilience improvements.
- Funding distributed both by formula and through competitive grants.
- Formula funds are provided to each state based on their share of the overall base apportionment. Requires that 2% of funds each year be set aside for planning purposes.
- Eligible projects include the use of natural infrastructure or construction or modification of storm surge, flood protection, or aquatic ecosystem restoration elements related to highway projects, public transportation facilities, intercity rail facilities or service, or port facilities.
- Federal share is 80%; other Federal funds may be used for the other 20%. States may not use more than ~~25%~~ 40% [MODIFIED IN FINAL SENATE BILL] for new capacity and not more than 10% for development phase activities.
- MPOs are eligible to receive resilience planning grants, which can be used for developing a resilience improvement plan; resilience planning including scenario development and vulnerability assessments; technical capacity building; or evacuation planning and preparation. Federal share is 100%.
- MPOs are eligible for resilience improvement grants, which can be used for a wide variety of uses to “enable an existing surface transportation infrastructure asset to withstand 1 or more elements of a weather event or natural disaster, or to increase the resilience of surface transportation infrastructure from the impacts of changing conditions, such as sea level rise, flooding, extreme weather events, and other natural disasters.” Federal share is 80%.
- MPOs are eligible for community resilience and evacuation route grants for projects that will strengthen and protect evacuation routes. Priority given to projects with eligible activities that are cost-effective. Federal share is 80%.
- MPOs in coastal states are eligible for at-risk coastal infrastructure grants for “strengthening, stabilizing, hardening, elevating, relocating, or otherwise enhancing the resilience of highway and non-rail infrastructure, including bridges, roads, pedestrian walkways, and bicycle lanes, and associated infrastructure such as culverts and tide gates.” Federal share is 80%.
- For all grants, 25% of funding must be used for projects located in areas outside an urbanized area with population over 200,000 and 2% must be set-aside for grants to Indian Tribes.
- Federal share can be increased by 7% if the recipient state or MPO has developed a resilience improvement plan and prioritized the funded project on that plan.

- Federal share can be increased by 3% for MPOs that have incorporated their resilience improvement plan into the metropolitan transportation plan.
- Resilience improvement plan shall be for immediate and long-range planning activities and investments; demonstrate a systematic approach to transportation system resilience; include risk-based assessment of vulnerabilities of assets; designate evacuation routes; plan for response to anticipated emergencies; describe resilience improvement policies; include an investment plan with priority projects and how funds provided would be invested and matched; use science and data; include a description of how the plan will improve the ability of the MPO to respond promptly to impacts and be prepared for changing conditions; assess the resilience of other community assets; and use a long-term planning period. This document is voluntary and is not required as part of the planning process.
- Funding: \$7.3B over five years by formula; \$1.4B for competitive grants (\$250M for each of fiscal years 2022-2023 and \$300M for 2024-2026).

## **New Competitive Grant Programs**

### **National Infrastructure Project Assistance Grants**

- New competitive grant program to support freight-related projects, including roads and bridges, intermodal facilities, grade separation or elimination, intercity passenger rail, public transportation, or a combination of these.
- MPOs are eligible recipients.
- 50% of the funding is for projects between \$100M and \$500M; 50% is for projects over \$500M.
- Secretary is required to consider geographical diversity and balance between rural and urban communities.
- To be eligible, projects must:
  - Be likely to generate national or regional economic, mobility, or safety benefits;
  - Need significant federal funding;
  - Be cost-effective;
  - Have one or more stable sources of non-federal funding and financing to construct operate and maintain the project and cover any cost increases; and
  - Project applicant must have sufficient legal, financial and technical capacity.
- Evaluation criteria includes:
  - Extent to which the project supports achieving a state of good repair;
  - Level of benefits a project is expected to generate include avoided costs due to closure or reduction of asset use, reductions in maintenance costs, safety benefits, improved person or freight throughput, and environmental and health benefits;
  - Benefit-cost ratio;
  - Number of persons or volume of freight supported by the project; and
  - National and regional economic benefits of the project.
- Other considerations include:
  - How the projects contribute to geographical diversity and balance between rural and urban communities;
  - Multi-state benefit;
  - The extent to which a project uses materials or approaches that reduce greenhouse gases or reduce the need for maintenance of other projects and technologies that will allow for future connectivity and automation;

- Whether the project would benefit a historically disadvantaged community or population or area of persistent poverty;
- Whether the project benefits users of multiple modes of transportation; and
- Whether the project improves connectivity between modes of transportation.
- Has specific criteria for how the Secretary is to rate the project applications.
- Makes provision to provide technical assistance to unsuccessful applicants.
- Requires submission of a plan regarding the collection and analysis of data related to project impacts and forecast accuracy.
- Funds can be used for development-phase activities (including planning, feasibility analysis, revenue forecasting, alternatives analysis, data collection and analysis, environmental review and activities to support environmental review, preliminary engineering and design work, and preparation of the data collection plan) and for construction, reconstruction, rehabilitation, property acquisition, environmental mitigation, and more.
  - Financing costs are also eligible expenses under certain circumstances.
- Federal share is 60%; other grants can be awarded to eligible projects through other programs, but total federal support cannot exceed 80%.
  - Loans or finance repaid with local funds or revenues are part of the local share.
- Outlines the parameters for multi-year grant agreements. Single-year grants are only allowed when all NEPA review for a project has been completed before receipt of program funds.
- Congress can pass a joint resolution disapproving a project selected by the Secretary.
- Funding: \$10B (\$2B per year for 2022-2026).

### **Bridge Investment Program**

- Creates a new competitive “bridge investment program” to encourage bridge repair that will improve safety, efficiency, and reliability of people and freight movement, and leverages non-federal contributions. Allows for bridge bundling and culvert work as well.
- Allows the awarding of grants. Large project (\$100M or more) grants will be \$50M or greater but not more than 50% of the project cost and may be carried out through a multiyear agreement; small project grants will be a minimum of \$2.5M, but not more than 80% of the project cost.
- MPOs with population over 200,000 are eligible to receive grants under this program.
- To be eligible, projects must begin within 18 months after funds are obligated and preliminary engineering must be complete.
- The bill lays out in very specific detail how projects will be evaluated and chosen. Please see the legislative text if you are interested in learning more.
- Eligible projects include development phase activities, construction, and bridge protection (such as seismic retrofits).
- Overall funding: \$3.265B over five years from HTF; \$3.265B over five years from General Fund (subject to appropriations); and \$9.2B over five years from appropriations.

## **Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program**

- New competitive SMART grant program that builds upon the success of the Smart City Challenge "to conduct demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety."
- MPOs are eligible recipients. Also allows for "regional partnerships" composed of two or more eligible entities located in jurisdictions with a combined population of 50K-400K.
- Selection criteria include:
  - Extent to which the applicant community has a public transportation system or other transit options;
  - Population density;
  - Continuity of committed leadership and functional capacity;
  - Open data commitment;
  - Likelihood of success, including through technical and financial commitments from the public and private sectors;
  - Extent to which the project will use advanced data, technology, and applications to provide significant benefits including congestion reduction; safety of bikes and pedestrians; access to opportunities, especially for underserved or disadvantaged populations; economic competitiveness; system reliability; connectivity between modes; private sector investments; pollution reduction; resilience; and emergency response.
- Priority will be given to projects that would be scalable; encourage data sharing and best practices; encourage innovation; promote a skilled workforce; allow for measurement and validation of cost savings and performance improvements; encourage adoption of smart technologies by other communities; promote industry practices regarding cybersecurity; and safeguarding individual privacy.
- Unsuccessful applicants may request technical assistance and briefings related to the project.
- Projects should demonstrate at least one of: coordinated automation; connected vehicles; intelligent, sensor-based infrastructure; systems integration; commerce delivery and logistics; leveraging use of innovative aviation technology; smart grid; and smart technology traffic signals.
- Eligible uses include development phase and construction phase activities.
- Extensive reporting requirements.
- Up to 40% of funding to large communities (400K+), 30% to rural areas (<50K), and 30% to medium sized communities (50K-400K).
- Funding: \$500M over five years.

## **Rural Surface Transportation Grant Program**

- Creates a new competitive grant program to "improve and expand the surface transportation infrastructure in rural areas." Rural is defined as an area outside an urbanized area with a population of over 200,000.
- Goals are to increase connectivity; improve safety and reliability of people and freight movement; generate economic growth; and improve quality of life.
- RTPOs are eligible recipients.
- Eligible projects include a highway, bridge, or tunnel project also eligible under NHPP, STBGP, Tribal Transportation Program, and freight program; a project on a high-risk rural road; a project

that increases access to a facility that supports the economy of a rural area; or a project to develop, establish, or maintain an integrated mobility management system, TDM system, or on-demand mobility services.

- Funds can be used for development phase activities, construction, reconstruction, rehabilitation, and more.
- Minimum grant size is \$25M and federal share is up to 80%. Certain project categories qualify for 100% federal share.
- Not more than 10% can be set aside for small projects (less than \$25M).
- 25% of funds must be set-aside for use on Appalachian Development Highway System projects.

### **Grants for Charging and Fueling Infrastructure**

- Establishes a new competitive grant program to “strategically deploy publicly accessible electric vehicle charging infrastructure and hydrogen fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure along designed alternative fuel corridors or in certain other locations that will be accessible to all drivers...”
- Funds can be used “to contract with a private entity for acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle.” Funds can be used as operating assistance to the private entity for the first 5 years of operation.
- MPOs are eligible recipients.
- Community Grants: half of funds must be reserved for community grants for projects expected to reduce greenhouse gas emissions and to expand or fill gaps in access to alternative fueling, including development phase activities and acquisition and installation of infrastructure, with priority given to rural areas, low- and moderate-income neighborhoods, and communities with a low ratio of private parking spaces to households or a high ratio of multiunit dwellings to single family homes.
- Maximum grant amount is \$15M at 80% federal share, and up to 1% can be used to provide technical assistance to eligible entities and 5% can be used on educational and community engagement activities.
- Total funding: \$2.5B over five years.

### **Congestion Relief Program**

- Establishes a new competitive congestion relief program to provide discretionary grants to “advance innovative, integrated, and multimodal solutions to congestion relief in the most congested metropolitan areas...”
- Program’s goals are “to reduce highway congestion, reduce economic and environmental costs associated with that congestion, including transportation emissions, and optimize highway capacity and usage of highway and transit systems...” These goals would be accomplished through intermodal integration, shifts in travel patterns (time of day and mode), and pricing.
- Eligible projects include:
  - Integrated congestion management system;
  - HOV toll lanes, cordon price, parking pricing or congestion pricing;

- Mobility services such as commuter buses and vans; and
- Incentive programs to encourage carpooling.
- Priority given to urbanized areas experiencing a high degree of recurrent congestion.
- Minimum grant award is \$10M, federal share is 80%.
- Interstate tolling is allowed as part of a project funded with a grant from this program, under specific conditions and restriction.
- Projects must include analysis of potential effects on low-income drivers and may include mitigation measures to deal with adverse financial effects on low-income drivers.
- MPOs over 1,000,000 population are eligible; states are eligible to obligate funds in urbanized areas under 1M population.
- Funding: \$50M for each of fiscal years 2021-2025.

### **Healthy Streets Program**

- Establishes a new discretionary grant program to expand the use of cool pavement and porous pavement and expand tree cover.
- Goals of the program are to mitigate urban heat islands, improve air quality, and to reduce the extent of impervious surfaces, reduce stormwater run-off and flood risks, and reduce heat impacts to infrastructure and road users.
- MPOs are eligible recipients.
- Federal share is 80% unless a community can prove a hardship that qualifies them for 100%.
- Maximum grant award is \$15M.
- Funding: \$500M over five years.

### **Active Transportation Infrastructure Investment Program [ADDED IN FINAL SENATE BILL]**

- New competitive grant program to construct eligible projects to “provide safe and connected active transportation facilities in an active transportation network or active transportation spine.”
- 30% must go to projects to construct active transportation networks that connect people with public transportation, businesses, workplaces, school, etc. 30% must go to projects that construct active transportation spines.
- \$3M/year shall be set aside for planning and design grants.
- Federal share: 80%; can be 100% for projects in areas with poverty rate over 40%.
- Eligible entities include regional governmental organizations including MPOs and RTPOs.
- Eligible projects are active transportation projects (or groups of projects) that are regional in nature and that cost more than \$15M (or more than \$100K in the case of planning and design costs).
- Funding: Authorizes \$200M/year.



### **Railroad Crossing Elimination Program**

- Creates a new competitive grant program for “highway-rail or pathway-rail grade crossing improvement projects that focus on improving the safety and mobility of people and goods.”
- Goals are to eliminate highway-rail grade crossings frequently blocked by trains; improve the health and safety of communities; reduce the impacts that freight movement have on underserved communities; and improve the mobility of people and goods.
- MPOs are eligible recipients.
- Eligible projects include grade separation, track relocation, improvement or installation of protective features, other safety projects, a group of any of the above projects, and planning and design of eligible projects.
- 20% of funds must be reserved for rural areas or Tribal lands; 5% must be reserved for projects in counties with 20 or fewer residents per square mile; 25% of planning grants must be for projects located in rural areas or Tribal areas.
- Minimum grant size is \$1M except for planning grants. Federal share is 80%.

### **Corridor Identification and Development Program**

- Creates a new competitive grant program to “facilitate the development of intercity passenger rail corridors.”
- Regional transportation planning organizations are eligible recipients.
- Corridors chosen under the program shall have assistance to prepare a service development plan (or update an existing plan).

### **Safe Streets and Roads for All Grant Program**

- Creates a new competitive grant program for "Vision Zero" grants.
- Defines a Comprehensive Safety Action Plan as "a plan aimed at preventing transportation-related fatalities and serious injuries in a locality, commonly referred to as a "Vision Zero" or "Toward Zero Deaths" plan."
- Elements of the plan include goals and timeline for eliminating fatalities and serious injuries; analyses of crash location and community input; data driven approach to identify projects or strategies; and mechanisms for evaluating outcomes and effectiveness.
- MPOs are eligible entities.
- Eligible projects include development of the plan itself; planning, design, and development activities to execute on projects and strategies; or to carry out the projects or strategies themselves.
- Not more than 15 percent may go to a single state in a given fiscal year.
- Not less than 40 must go to planning grants.
- Projects will be chosen based on whether the proposed project:
  - A. Is likely to significantly reduce or eliminate transportation-related fatalities and serious injuries involving various road users, including pedestrians, cyclists, public transportation users, motorists, and commercial operators, within the proposed timeframe;
  - B. Demonstrates engagement with a variety of public and private stakeholders;

- C. Seeks to adopt innovative technologies or strategies to promote safety;
  - D. Employs low-cost, high-impact strategies that improve safety over a wider geographical area;
  - E. Ensures, or will ensure, equitable investment in the safety needs of underserved communities in preventing transportation-related fatalities and injuries;
  - F. Includes evidence-based projects or strategies; and
  - G. Achieves such other conditions as the Secretary considers to be necessary.
- Federal share is 80%.
  - Funding: \$1B over five years.
  - Requires regular reporting to the Secretary and final report that outlines elements of the project carried out by the receiving entity.
  - Secretary is required to publish best practices.

## **New Pilot Programs**

### **National Motor Vehicle Per-Mile User Fee Pilot**

- Establishes a per-mile user fee pilot to test design and implementation of a per-mile user fee, address the need for additional revenue, and provide recommendations relating to adoption and implementation of a per-mile user fee.
- Outlines the parameters, methods, participants and fees related to the pilots.
- Establishes a Federal System Funding Alternatives Advisory Board.
- Creates a public awareness campaign about a notional motor vehicle per-mile user fee.
- Establishes an annual report to Congress regarding the program and its success.
- Funding: \$50M (\$10M each year for 2022-2026) (from funds made available for 23 USC §503(b)).

### **Wildlife Crossing Safety**

- Creates a new “wildlife crossings pilot program” to reduce wildlife-vehicle collisions and improve habitat connectivity.
- MPOs and RTPOs are eligible.
- 60% of funds each year are required to be used on projects in rural areas.
- Funding: \$350M over five years.

### **Prioritization Process Pilot Program**

- New pilot program to “support data-driven approaches to planning that, on completion, can be evaluated for planning benefit.”
- Participants will develop priority objectives and assess and score projects based on the project’s contribution to achieving these objectives, then use the scores in development of the transportation plan and TIP.

- MPOs over 200K are eligible on their own; otherwise, states are eligible and must consult with MPOs under 200K in the development of priority objectives that are used to assess and score projects which then guides the development of the LRTP and TIP.
- In cases where lower scoring projects are chosen, explanation must be documented regarding several items listed in the legislation to help explain the reason for that decision.
- Maximum awards under this program are \$2M.
- Funding: \$50M over five years (\$10M for each of fiscal years 2022-2026).

### **Reconnecting Communities Pilot Program**

- Establishes new pilot program to study the feasibility and impacts of removing an existing transportation facility (including limited access highway, viaduct, and other principal arterial facility) that “creates a barrier to community activity” including mobility, access, economic development, and design factors such as high speeds or grade separations.
- Funds can be used to conduct studies, planning, and construction.
- Planning grants can be awarded (up to \$2M per recipient and federal share of 80%, including to MPOs or other units of local government) to perform the necessary planning functions to establish the feasibility and impacts and conduct public engagement.
- Allows for the provision of technical assistance to build organizational or community capacity for planning and innovative solution development.
- Gives priority consideration to communities that are “economically disadvantaged.”
- Owners of these facilities can also receive capital construction grants, up to \$5M per recipient and federal share of 50%, to remove an eligible facility or replace it in a more context sensitive manner. Funding can be used to create a community advisory board.
- Funding:
  - Planning grants: \$50M over five years;
  - Capital construction grants: \$70M over five years
  - Not more than \$15M for technical assistance.

### **Strategic Innovation for Revenue Collection**

- Creates a new pilot program to “test the feasibility of a road usage fee and other user-based alternative revenue mechanisms to maintain the long-term solvency of the Highway Trust Fund.”
- Designed to utilize pilot projects at state, regional, and national levels.
- Provides for grants to a state or group of states, local governments or a group of local governments, or an MPO or group of MPOs to carry out pilot projects to:
  - Test design, acceptance, equity and implementation including among differing income groups and rural and urban drivers;
  - provide recommendations; quantify administrative costs; test a variety of solutions for collection of data and fees;
  - test solutions to ensure privacy and security of data;
  - conduct public education; and
  - evaluate the ease of compliance and enforcement.

- Federal share is 80% for first time grant recipients and 70% for entities that have received a previous grant.
- Creates a national research program to test an alternate roadway funding mechanism nationwide, including the use of voluntary participation by drivers. Purpose would be to: evaluate cost and feasibility of a nationwide mechanism; evaluate options for deployment; evaluate impacts on transportation revenues, personal mobility, and freight movement and costs; and evaluate options for integrating such a mechanism with state-based revenue collections, toll revenue collection platforms, and TNCs.
- Provides \$75M over five years (from funds made available for 23 USC §503(b)).

### **Transportation Access Pilot Program**

- Establishes a pilot program to develop or procure an accessibility data set and make it available to pilot participants to allow for improved planning by measuring access by different modes to delineated destinations and disaggregating the level of access by a variety of factors.
- Eligible entities include MPOs and RTPOs.
- Requires the establishment of measures that states, MPOs, and RTPOs may choose to adopt to assess the level of safe and convenient access to previously listed destinations.
- 8-year sunset provision.
- Funding: Secretary may use some portion of administrative expenses to fund these grants.

## **Competitive, Not Really New**

### **Local and regional project assistance**

- Codifies RAISE Grants (formerly BUILD Grants and formerly TIGER Grants) Program; program goal is to fund projects that will have significant local or regional impact.
- MPOs and RTPOs are NOT explicitly listed as eligible recipients.
- Eligible projects include:
  - Highway or bridge project eligible under title 23;
  - Public transportation project eligible under chapter 53;
  - Passenger or freight rail transportation project eligible for assistance under chapter 67;
  - Port infrastructure investment;
  - Surface transportation components of airport project eligible under part B of subtitle VII;
  - Project for investment in a surface transportation facility located on Tribal land, the title or maintenance responsibility of which is vested in the Federal Government;
  - Project to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species; and
  - Any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goal of the program.
- Grants are \$5M or more for urbanized areas; \$1M for rural areas; up to \$25M for any project.
- Not more than 15% of a state's funds can go to a single grant recipient.
- Not less than 1% for projects in historically disadvantaged communities.
- Not less than 5% shall be for planning.

- 80% federal share except in rural areas, historically disadvantaged areas, or areas of persistent poverty.
- Funding: \$7.5B (\$1.5B per year for 2022-2026).

## **Other Funding in the BID**

In addition to the transportation provisions outlined in this document, the BID also contains many billions of dollars for projects other than transportation:

- **Environmental Protection Agency, \$67B** – Much of this goes to capitalize the Clean Water State Revolving Funds and Drinking Water State Revolving Funds. Also includes funding for Superfund and Brownfields cleanup, geographic programs such as the Great Lakes Restoration Initiative, and a Clean School Bus Program.
- **Broadband, \$64B** – Much of this funding is through the Department of Commerce, with the bulk of that for deployment grants, with additional funding for Tribal connectivity, digital equity grants, and “middle mile” deployment. The Federal Communications Commission also receives significant funding to help make broadband more affordable.
- **Energy, \$62.5B** – The largest amounts go to the Office of Clean Energy Demonstrations and to energy efficiency and renewable energy. Significant funding is also provided for electricity programs, nuclear energy, and for fossil energy and carbon management.
- **Army Corps of Engineers/Bureau of Reclamation, \$25B** – The biggest funding here goes to Corps construction and operations projects and Bureau of Reclamation water projects.
- **Department of the Interior, \$20B** – The biggest pieces of this funding goes to abandoned mine reclamation and orphaned well site plugging. Also includes funding for wildland fire management.
- **FEMA, \$7B** – The vast majority goes to National Flood Insurance Fund and disaster recovery funding.
- **Agriculture, \$6B** – Primary for wildfire prevention and recovery.
- **Other, \$23B** – Biggest items include funding for the General Services Administration building fund, for sanitation projects through the Indian Health Service, Indian Water Rights Settlement Completion Fund, the Transmission Facilitation Program, and to the National Oceanic and Atmospheric Administration (NOAA).

## **Acronyms**

AV – Automated Vehicle

BID – Bipartisan Infrastructure Deal

CIG – Capital Investment Program (aka New Starts)

CMAQ – Congestion Mitigation and Air Quality Program

EV – Electric Vehicle

FAST Act – Fixing America’s Surface Transportation Act (current federal transportation authorization legislation)

FHWA – Federal Highway Administration

FRA – Federal Railroad Administration

FTA – Federal Transit Administration

HSIP – Highway Safety Improvement Program

HTF – Highway Trust Fund

IIJA – Infrastructure Investment and Jobs Act

LRTP – Long-Range Transportation Plan

MARAD – Maritime Administration

MPO – Metropolitan Planning Organization

NHPP – National Highway Performance Program

NHTSA – National Highway Traffic Safety Administration

OST – Office of the Secretary of Transportation

PHMSA – Pipeline and Hazardous Materials Safety Administration

PL – Metropolitan Planning

RAISE – Rebuilding American Infrastructure with Sustainability and Equity (formerly BUILD Grants, formerly TIGER Grants)

RTPO – Regional Transportation Planning Organization

SMART - Strengthening Mobility and Revolutionizing Transportation Grant Program

STBGP – Surface Transportation Block Grant Program

TAP – Transportation Alternatives Program (technically called the STBGP Set-Aside)

TDM – Transportation Demand Management

TIP – Transportation Improvement Program

TNC – Transportation Network Company

USDOT – United States Department of Transportation