

Moving Ahead for Progress in the 21st Century (MAP-21) Public Law 112-141

Preliminary Briefing
Regional Transportation Advisory Council
July 11, 2012



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

P.L. 112-141

- Passed by Congress on June 29, 2012 and signed into law by President Obama on July 6, 2012
- The 27-month, \$118 billion authorization bill funds highway, transit and highway safety programs through September 30, 2014 – supports/creates over 1 million jobs
- Authorizes & extends existing motor fuel taxes collected & deposited into the Highway Trust Fund (HTF) through September 30, 2016, and various truck and tire excise taxes through September 30, 2017
- Transfers \$18.8 billion from the General Fund to the HTF over the life of the bill and identifies new revenue “transfer” sources & offsets to fully fund the bill
- MAP-21 contains no federal earmarks and does not increase the deficit



MAP-21 Highlights/Themes

- Highway and transit funding at current levels with 2014 inflation adjustment
- Maintains the approximate 80/20 highway/transit funding split
- Provides State spending flexibility with limited HTF resources to focus funding where it's needed
- Eliminates or consolidates approximately 60 programs into four core highway programs (NHPP, STP, HSIP, CMAQ)
- Environmental/project streamlining provisions to accelerate project delivery
- Promotes performance based investment decisions in support of national goals and performance measures
- Significant expansion of the TIFIA credit assistance program - \$1 billion, increases maximum share of projects from 33% to 49%



MAP-21 Highlights/Themes

Continued

- Re-calibrates distribution formulas for several core transit programs
- Requires recipients to develop Transit Asset Management Plans/Systems
- Requires reasonable access for private intercity/charter bus operators to federally funded facilities (ITCs, park & ride lots and bus only highway lanes)
- Expands the use of performance measures and targets to evaluate transit system condition and performance

MAP-21 Funding

Estimated Highway Apportionment Levels

Program	FFY 2012	FFY 2013	FFY 2014
Total Highway Apportionment - All States	\$ 37,476,819,674	\$37,476,819,674	\$37,798,000,000
Total Highway - Massachusetts	\$ 588,290,944	\$ 588,290,994	\$ 593,332,710
• National Highway Performance Program	-	\$322,999,805	\$325,734,242
• Surface Transportation Program	-	\$148,569,769	\$149,827,524
• Highway Safety Improvement Program	-	\$35,494,484	\$35,794,972
• CMAQ Program	-	\$61,090,663	\$61,607,842
• Transportation Alternatives Program	-	\$11,564,595	\$11,723,886
• Metropolitan Planning	-	\$8,571,678	\$8,644,244



Consolidation of the Highway Program

■ National Highway Performance Program (NHPP)

- Consolidates the Interstate Maintenance (IM) and National Highway System (NHS) programs and the on-system portion of the Highway Bridge Program
- Provides funding support focused on improving the condition and performance of the NHS
- States are required to set performance goals to improve the condition & performance of the NHS consistent with National Goals and performance management measures promulgated by the Secretary

■ Surface Transportation Program (STP)

- STP's broad project eligibility is further expanded
- Includes off-system bridges as well as certain consolidated programs authorized under the new Transportation Alternatives Program including enhancements, recreational trails, ferry boats and terminal facilities, safe routes to school, and adds a new category "boulevards and other roadways largely in the right of way of former Interstate routes and divided highways"
- 50% of TA funds are sub allocated to MPOs over 200K to operate competitive grant programs

Consolidation of the Highway Program

■ Congestion Mitigation and Air Quality Program (CMAQ)

- Remains largely intact under MAP-21.
- Funds highway and transit projects that reduce congestion and improve air quality.
- Removes current prohibition on use of CMAQ for construction of single-occupancy vehicle lanes.
- Performance metrics and standards for CMAQ will be set by the Secretary

■ Highway Safety Improvement Program (HSIP)

- Funding is doubled and most existing requirements have been retained.
- To obligate HSIP funds, each State must have a performance-based strategic highway safety plan and have a highway safety improvement program in place.
- The Federal share of projects remains 90%.
- Performance metrics and standards for HSIP will be set by the Secretary



MAP-21 Highway Funding Distribution

How it Works

- States are guaranteed a 95% rate of return on their HTF contributions
- Once States receive their formula highway apportionment, the CMAQ and Metropolitan Planning set asides are taken “off the top” based on FFY 2009 below-the-line distribution percentages
- The balance funds are distributed to the remaining three major core MAP-21 highway programs as follows:
 - **National Highway Performance Program** - 63.7 %
for projects on NHS facilities that support national performance goals
 - **Surface Transportation Program** - 29.3%
to improve the condition and performance of Federal-aid highways & bridges on any public road
 - **Highway Safety Improvement Program** - 7 %
for projects that improve the safety of road infrastructure



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 and enhancing the natural environment.
- **7. REDUCED PROJECT DELIVERY DELAYS** —To reduce project costs & accelerate project completion by eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.



Additional Highway Program/Policy Provisions

- Establishes a National Bridge and Tunnel Inventory and Standards program which essentially replaces the current Highway Bridge Program – requires an asset inventory, risk based assessment for safety/ serviceability, priority system for preventative maintenance, rehabilitation, and replacement of assets
- Establishes a National Freight Policy but not a funded freight title. Designates a primary national freight network up to 30,000 miles and requires the development of a national freight strategic plan
- Increases the federal share for freight mobility projects from state freight plans – from 80% to 90% for non-interstate projects and from 90% to 95% for projects on the interstate system
- Freight mobility projects are eligible for funding under the Projects of National and Regional Significance program which is extended under MAP-21 for FFY 2013 only at \$500 million – this program is paid for through a General Fund authorization.
- Continues the Ferry Boat and Terminal Facilities Program at \$67 million annually but re-categorizes the program as a formula program within the new Transportation Alternatives program
- Redefines the Metropolitan and Statewide Planning Process by moving to a performance-based process



MAP-21 Funding

Estimated Transit Apportionment Levels

Program	FFY 2012	FFY 2013	FFY 2014
Total Transit Apportionment - All States	\$10.098 billion	\$10.578 billion	\$10.695 billion
Formula Urbanized Area Grants - Sec. 5307, 5336	\$4.459 billion	\$4.398 billion	\$4.459 billion
Bus and Bus Facilities Formula	\$984 million Competitive/discretionary	\$442 million	\$427.8 million
Fixed Guideway Capital Investment Grants (New Starts)	\$1.955 billion	\$1.907 billion	\$1.907 billion
High Density/Growing States Sec. 5340 Formula	450.2 million	\$518.7 million	\$525.9 million
Rural Area Grants Sec. 5311	\$547.3 million	\$599.5 million	\$607.8 million
State of Good Repair (SGR) Grant Program	Competitive/discretionary	\$2.136 billion	\$2.166 billion
High Intensity Motorbus SGR Program – 2.85% set aside from SGR	-	\$60.9 million	\$61.7 million
Total Transit – Massachusetts	tbd	tbd	tbd



Changes to the Transit Program

- Bus and Bus Facilities and SGR become formula programs
- JARC is folded into the Section 5307 Urbanized Area formula program
- Elderly and Disabled (Sec. 5310) and New Freedom (Sec. 5317) are combined under a single Section 5310 program to enhance the mobility of seniors and individuals with disabilities
- A new State of Good Repair Program replaces the current Fixed Guideway Modernization program – new formula to apportion funds
- Establishes a High Intensity Motorbus State of Good Repair Program – SGR set aside for public transportation projects on facilities with HOV lanes
- New Starts – process is reformed and streamlined, alternative analysis step is dropped and limits are placed on the number of years a project can be in the process. Programs of interrelated projects are now eligible.



Changes to the Transit Program (continued)

- Allows systems in urbanized areas >200k to utilize portions of 5307 funding on operating assistance if the system operates fewer than 100 buses during peak service
- Eliminates the Clean Fuels Formula Program and the Transit in the Parks Program
- Expanded use of warrants to receive automatic ratings for qualifying projects with New Starts shares less than \$100 million or 50% of total project costs
- Requires MPOs to establish performance targets for safety and state of good repair
- Establishes a pilot program to fund planning efforts for Transit-Oriented Development Projects (TOD)- \$10 million annually for FY 2013 and FY 2014



Okay, Now What?

- While the new surface transportation bill authorizes programmatic and streamlining reforms and a new array of consolidated transit and highway programs, Congress approves final funding authorizations through the annual budget appropriations process
- The FFY 2013 THUD appropriations bill needs to be passed by Congress by September 30, 2012
- U.S. DOT's modal administrations, FHWA and FTA need to develop MAP-21 implementing regulations and publish Notices of Proposed Rulemaking in the Federal Register for review and comment by state DOTs, MPOs, the public and other transportation stakeholders – it's imperative that this happen quickly given the limited 2-year authorization of programs
- The bill stipulates that U.S. DOT shall promulgate performance measures associated with the attainment of national goals (for NHPP, HSIP, CMAQ, Transit and Freight) in consultation with States, MPO's, RTA's and stakeholders within 18 months of MAP-21 enactment
- References to the “date of enactment” should be understood to mean October 1, 2012

