

# Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Executive Summary

November 2012

# Highway Funding

- Two year authorization
  - FFYs 2013-2014
- Slight increase in funding overall
- Fewer programs
  - More flexibility
- Surface Transportation Program (STP) funds: 50% to State, 50% suballocated by pop.
  - Was 32%/67%
- TIFIA is increased significantly
  - From \$122 million (2012) to \$750 million (2013) to \$1 billion (2014)

# Highway Funding

- New Transportation Alternatives Program (TAP)
  - Safe Routes to Schools (SRTS) repealed
  - Recreational Trails repealed
  - Transportation Enhancements (TE) repealed
- New National Highway Performance
  - National Highway System (NHS) funding repealed
  - Interstate Maintenance (IM) repealed
- Bridge program repealed
  - Projects remain eligible under other funding sources
- Congestion Mitigation and Air Quality (CMAQ) can be used for electric vehicle charging stations
- Old projects and funding is still active until project funds are expended or project is canceled

# Hawaii Highway Estimated Funding

	FY 2012	FY 2013	FY 2014
Metro Planning	\$1,418,845	\$1,663,831	\$1,677,896
IM	\$11,247,770		
NHS	\$55,442,154		
STP	\$38,613,981	\$43,545,816	\$43,913,930
Bridge	\$34,317,867		
CMAQ	\$10,476,313	\$9,955,280	\$10,039,437
Rec. Trails	\$896,644		
Safety	\$6,417,694	\$10,403,437	\$10,491,383
Rail-Hwy Xing	\$1,026,909		
SRTS	\$933,553		
Equity Bonus	\$3,047,949		
Nat'l Hwy Perform.		\$94,671,280	\$95,471,582
TAP		\$3,591,034	\$3,640,498
Total	\$163,830,679	\$163,830,679	\$165,234,725

# TAP

- State Allocation
  - 50% “anywhere” retained by State
    - State may transfer (50%?) “anywhere” funds to any other apportionment program, or may transfer other apportionment funds into TAP
  - 50% sub allocated based on population
    - In MPO areas of more than 200,000 people, the MPO must design a competitive process and select the projects to be funded
- Old TE & SRTS funds and projects are still active until funds are spent

# Freight

- Requires designation of National Freight Network (NFN) consisting of:
  - Primary Freight Network (PFN)
    - Based on freight volumes, population centers, ports, and a few others
    - Up to 30,000 centerline miles
    - Redesignated every 10 years
  - Remainder of Interstate system
  - State can add Critical Rural Freight Corridors if certain thresholds are met
    - % of truck traffic; TEUs, tons of freight

# Freight (cont.)

- Project funding comes from safety funds
  - Formula defined in MAP-21
- Projects must demonstrate efficient movement of freight on the NFN
- National Freight Strategic Plan
  - Developed by Secretary not more than 3 years after enactment:
    - Updated every 5 years
    - Shall include freight performance targets established by Secretary

# Freight (cont.)

- Introduces “Aerotropolis Transportation System” concept
  - A planned and coordinated multi-modal freight and passenger transportation network that provides efficient, cost-effective, sustainable, and intermodal connectivity to a defined region of economic significance centered around a major airport.
- Secretary shall ID transportation-related model data elements to support a broad range of evaluation techniques

# Environmental Streamlining

- States are allowed to acquire real property before NEPA process is complete
  - Acquisition cannot limit choice of reasonable alternatives
- States can now be reimbursed for pre-construction contracts let before NEPA is done
- Federal cost share for projects that use innovative technologies that increase efficiency of construction, improve safety, and extend life of highways & bridges can be increased to 100%

# Environmental Streamlining

- Secretary is allowed to designate a single modal administration to serve as lead on multi-modal projects
- Sets deadlines for ENV review decisions by lead agencies
  - Requires financial penalties for agencies that don't meet deadlines
  - Dispute resolution is escalated to agency heads

# Environmental Streamlining

- Any repair or reconstruction of a road or bridge in a declared emergency is a CatEx if repair will be done in same location
- Any project within an existing ROW is now CatEx
- Any project receiving less than \$5 million Federal, or with a total cost of not more than \$30 million where Federal funds are less than 15% of total costs is now CatEx.
- This does not provide relief from State environmental processes

# Other Notable Changes

- Projects of National and Regional Significance
  - \$500 million in FY 2013
- Ferry Boat and Terminal Facilities
  - \$67 million in FY 2013
    - Allocated by formula
- Establishes Emergency Relief program
  - \$100 million/year to fix serious damage from natural disasters or catastrophic failures.

# MPOs

- Current threshold of 50,000 population for new MPO is retained
  - Maui now qualifies
- MPOs must now also include public agencies that administer or operate public transportation
- Must use a performance-based approach to decision-making to support national goals
  - Secretary shall submit a report in 5 years evaluating approach

# MPOs

- National Goals
  - Safety
  - Infrastructure Condition
  - Congestion Reduction
  - System Reliability
  - Freight Movement & Economic Vitality
  - Environmental Sustainability
  - Reduced Project Delivery Delays

# MPOs

- Performance Based Planning
  - Must coordinate with the State, providers of public transportation to ensure consistency to the maximum extent possible
    - MPO must adopt their performance targets no later than 180 days after establishment
    - MPOs must integrate into its process the goals, objectives, performance measures, and targets from State plans and plans from providers of public transportation
  - ORTP must include a system performance report
    - Including progress achieved in meeting targets

# MPOs

- Scenario Planning
  - Voluntary
  - Provides guidance on considerations
  - Secretary shall also evaluate costs and benefits of scenario planning

# Transit Funds

- More predictable funding
  - Fewer discretionary grants; more formulas; more flexibility within programs
  - Consolidates certain programs for efficiency
- Targeted funding increases
- New reporting requirements
  - Performance measures required for State of Good Repair (SGR), planning, and safety
- Modified Funding
  - Fixed Guideway Modernization (part of 5309) changed to "SGR"
  - Metropolitan & Statewide Planning (5303 & 5304)
    - Performance based planning + transit agencies on our PC
  - Research, Development, Demonstration, and Deployment (5312)
    - Separates research from technical assistance, training, and workforce development; creates program for acquisition of low- or no-emission vehicles, equipment, and facilities

# Transit Funds

- New
  - Safety Authority (5329)
    - Additional authority to set minimum safety standards, conduct investigations, audits, and examinations
  - State of Good Repair (5337)
    - Formula based; limited to fixed-guideway investments
  - Asset Management (5326)
    - FTA must define “state of good repair” and develop performance measures
    - All transit agencies must develop their own asset management plan for all transit modes
  - Bus and Bus Facilities Formula Grants (5339)
    - Separates from 5309; provides capital funding for buses
    - No longer discretionary
  - Public Transportation Emergency Relief (5324)
  - TOD Planning Pilot Grants
    - Discretionary and competitive; eligible projects are related to fixed guideway or core capacity projects (defined in 5309)

# Transit Funds

- Repealed
  - Clean Fuels Grants (5308)
- Consolidated
  - Urbanized Area Formula Grants (5307)
    - Funds capital, planning, and JARC-eligible activities
    - Creates new discretionary passenger ferry grants
  - Rural Area Formula Grants (5311)
    - Supports transit in rural areas and JARC-eligible activities
  - Enhanced Mobility of Seniors and Individuals with Disabilities (5310)
    - Consolidates 5310 and New Freedom programs
    - FTA must establish performance measures

# National Transit Funding

Program	FY 2012	FY 2013	FY 2014
Planning (Metro & State) Formula (Old 5303 & 5304; New 5305)	\$113.5 million	\$126.9 million	\$128.8 million
Fixed Guideway Modernization (Use to be part of 5309)	\$1.667 billion	N/A	N/A
JARC (5316)	\$164.5 million	N/A	N/A
Clean Fuels Grants (5308)	\$52 million	N/A	N/A
State of Good Repair Formula (5337) (replaces Fixed Guideway)	N/A	\$2.136 billion	\$2.166 billion
New Starts/Small Starts/Core Capacity Grants (now called Capital Investment Grants) (5309; still discretionary)	\$1.955 billion	\$1.907 billion	\$1.907 billion
Bus and Bus Facilities Formula (5339) (use to be part of 5309)	\$984 million	\$422 million	\$427.8 million
Urbanized Area Formula (5307)	\$4.259 billion	\$4.398 billion	\$4.459 billion
Non-Urbanized (Rural Areas) Formula (5311)	\$465 million	\$600 million	\$608 million
Growing States/High Density Formula (5340)	\$465 million	\$519 million	\$526 million
TOD Pilot Project Discretionary Grants	N/A	\$10 million	\$10 million
Elderly and Disabled (+New Freedom) Formula (5310 & 5317)	\$227 million	\$254.8 million	\$258.3 million
Total	\$10.352 billion	\$10.374 billion	\$10.491 billion

# Transit Safety Program

- FTA granted new Public Transportation Safety Authority
  - Can set minimum safety standards, conduct investigations, audits, and examinations
  - Overhauls state safety oversight
  - Established new safety requirements for all recipients

# Transit Asset Management Provisions

- FTA must define “state of good repair” and develop performance measures based on that definition
- Establishes National Transit Asset Management system
  - Sets objective standards for measuring the condition of assets
  - Will establish performance measures
  - Grantees will set performance targets
- All transit agencies must develop their own asset management plan that covers all transit modes

# Urbanized Area Formula (5307)

- For public transportation capital, planning, jobs access and reverse commute
  - Can be used for operating costs in areas of <200,000 people, or where population >200,000 but where fewer than 100 buses are in fixed-route services during peak hour (exclusive of rail)
- Recipients must expend at least 1% on “ associated transportation improvements”
- Recipients must expend at least 1% on transportation security or certify that it is not necessary to do so
- MAP-21 removes the eligibility to transfer 5307 funds to highway projects
- Funding formula is a combination of vehicle and passenger miles, fixed guideway route miles, population, population density, and the number of low income individuals
- \$30 million set aside for competitive passenger ferry grants

# Elderly and Disabled (5310)

- To enhance mobility for seniors and persons with disabilities beyond complementary ADA required paratransit services
- At least 55% must be used on capital projects to meet the needs of seniors and the disabled when public transportation is insufficient, inappropriate, or unavailable
- Remaining 43% may be used for
  - Projects exceeding ADA requirements
  - Improving access to fixed-routes service and decreasing reliance on paratransit
  - Public transportation alternatives
- Operating assistance is now available (max 50% Federal share)
- Funding is apportioned based on number of seniors and people with disabilities
- Allocated to large urbanized areas (60%), small urbanized areas (20%), and rural areas (20%)
- Recipients may carry out competitive process to select sub-recipients
- Projects must be in the human services transportation plan

# Capital Investment Grants (5309)

- For new and expanded rail, BRT, and ferry systems to improve key corridors
- Defines “core capacity” eligible projects
  - Which expand capacity by at least 10% in existing fixed-guideway transit corridors that are already above capacity or are expected to be in the next 5 years
- Discretionary program that requires multi-step, multi-year process to become eligible
- Maximum Federal share is 80%
- Defines some project development streamlining
- Congestion relief is an added evaluation criterion
- “Before and After Studies” are required from project sponsors
- Highly competitive

# State of Good Repair (5337)

- Provides formula-based funding to maintain public transportation systems in a state of good repair
- Replaces old 5309 Fixed Guideway program
  - Dedicated to
    - Repairing and upgrading the nation's rail transit systems and "High-intensity motor bus systems", i.e., public transport that shares HOV lanes
      - Including BRT
- Funding (80/20)
  - High Intensity Fixed Guideway = 97.15% of apportionment
    - Excludes buses operating in mixed-traffic or general-use lanes
  - High Intensity Motorbus = 2.85% of apportionment
    - 60% based on revenue miles
    - 40% based on route miles of buses operating in general use lanes

# Bus and Bus Facilities Formula (5339)

- Provides capital funding to replace, rehab, and purchase buses and related equipment
- Replaces discretionary bus program that was part of old 5309
- Funding (80/20)
  - All states will receive \$1.25 million
  - Remaining funds (~\$357 million) allocated by formula based on population, vehicle revenue miles, and passenger miles

# TOD Planning Pilot (20005(b))

- Creates a discretionary, competitive pilot program for TOD planning grants
  - To support TOD associated with new fixed-guideway and core capacity improvement projects
- Eligible projects are related to fixed guideway or core capacity projects as defined in section 5309
- \$10 million authorized in both FFYs 2013 and 2014

# Public Transportation Emergency Relief (5324)

- Assists states and public transportation systems with emergency-related expenses
- Pays for protecting, repairing, or replacing equipment and facilities in danger of failing or which have suffered serious damage as a result of an emergency
- Funding: as appropriated by Congress

# Other Notable Provisions

- Buy America
  - Requires annual report to Congress on any transit waivers
- Veteran Preference
  - Includes preference language for transit construction projects
- Privatization
  - Includes several provisions for promoting private-sector participation
- Bus Testing
  - Establishes performance standards and “Pass/Fail” requirements for new model buses
    - Includes safety performance standards

# Definitions

- Fixed-Guideway – 5302(7)
  - "...a public transportation facility using and occupying a separate right-of-way for the exclusive use of public transportation"
- Bus Rapid Transit – 5302(2)
  - "...a bus transit system in which the majority of each line operates in a separated right-of-way dedicated for public transportation use during peak periods; and
    - That includes features that emulate the services provided by rail fixed guideway public transportation systems, including
      - Defined stations
      - Traffic signal priority
      - Short headway bi-directional services for a substantial part of weekdays and weekend days
      - Other features as determined by the Secretary"

# Definitions

- Associated Transit Improvement – 5302(1)
  - Historic preservation
  - Bus shelters
  - Landscaping and streetscaping
  - Pedestrian access and walkways
  - Bicycle access
  - Signage
  - Enhanced access for persons with disabilities
- High-Intensity Motorbus System – 5337(d)(1)
  - “...public transportation that is provided on a facility with access for other high-occupancy vehicles”

# Rail and BRT Comparison

	Rail	BRT
Eligible for Capital Investment Grants (5309)	✓	✓ (If it matches one of the definitions below)
Eligible for SGR (5337)	✓ (97.15%)	✓ (2.85% if HIM, 97.15% if HIFG)
Eligible for TOD planning grants	✓	(Only if fixed-guideway BRT)
Urban Area Formula	✓	✓
Increases the size of our formula transit funds based on passenger miles, vehicle miles, etc.	✓ (net impact still unknown)	✓ (But, BRT system miles not on exclusive ROW no longer count in some formulas)

**5309 Corridor-based BRT definition:** A small start project (<\$75M in Fed. Aid & <\$250M total cost) utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems including: defined stations, traffic signal priority, and short headway bidirectional services for a substantial part of weekdays and weekend days; **but the majority of which does not operate in a separated ROW dedicated for public transportation.**

**5309 Fixed Guideway BRT definition:** A bus transit system in which **the majority operates in a separated right-of-way dedicated for public transportation** use during peak periods, that represents a substantial investment in a single route in a defined corridor or subarea, and that includes features that emulate the services provided by rail fixed guideway public transportation systems including: defined stations, traffic signal priority, and short headway bidirectional services for a substantial part of weekdays and weekend days

# More Information

- Federal Guidance
  - <http://www.fhwa.dot.gov/map21/#perform>
  - <http://www.fta.dot.gov/map21/index.html>