Association for Commuter Transportation
Best Work Places for Commuters

FAST ACT RECAP
Fixing America’s Surface Transportation (FAST) Act
Passed on December 3, 2015

- 5-year authorization for federal surface transportation program passenger rail program (FY16-FY20)
- Incorporates rail program in broader surface bill for first time
- Adds new highway freight formula and highway freight discretionary grant program

- $305 billion
  FY16  FY17  FY18  FY19  FY20
  $305 billion
FAST Act – Funding

- $305 billion over 5 years
- Maintains 80-20 split between highway and transit
- Increases funding ~5% from FY 2015-FY 2016 and roughly 2%/year through life of bill
## FAST Act – FHWA

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<tbody>
<tr>
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<td>$44.23b</td>
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<td>2.1%</td>
<td>2.2%</td>
<td>2.3%</td>
<td>2.4%</td>
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### Highways

- Federal-Aid Highways Formula
- National Significant Freight & Highway Projects Discretionary
- TIFIA
- Other
What is CMAQ (Congestion Mitigation Air Quality Program)

- CMAQ is a Federal Highway formula program that a wide variety of TDM and employer based commuter activities are eligible for funding.

- For States that have non-attainment areas for ozone or particulate matter, CMAQ funding must be used to achieve air quality benefits in those areas that are in non-attainment.

- Who controls allocation of CMAQ varies from State-to-State. In some cases, the State controls most, if not all CMAQ funding, in some cases, CMAQ project selection has been delegated to metropolitan planning organization

- CMAQ funds may be used to fund both capital and operating projects – with exceptions –

For more information on what types of projects may be eligible under CMAQ, contact Pavluchuk@actweb.org

To determine how you may apply for CMAQ funds, contact your local Metropolitan Planning Organization
• Few programmatic changes made to CMAQ

• Makes two eligibility changes
  1. Clarifies eligibility of port related freight operations (so long as emission reductions are attained)
  2. Makes installation of vehicle to infrastructure communication installation eligible

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<td>1.9%</td>
<td>1.8%</td>
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• Maintains that carpool/vanpool projects are still eligible for 100% Federal share (all other projects have a maximum of 80% Federal Share)
Post Authorization CMAQ Issues

• Need DOT to create clear and definitive guidance and practices
  - What one FHWA State office allows under CMAQ, another does not. There is a need for consistency in rulings.

• Clarify difference between operations/labor and education/outreach
  - Operations/Labor are only eligible to receive CMAQ funding for up to 5 years. Education & Outreach have no limitations. Clarity & consistency needs to be made when it comes to whether labor associated with education & outreach is subject to limitation
Post Authorization CMAQ Issues

• Clarify use of CMAQ funds for incentives
  o Some FHWA state offices allow CMAQ funds to be used for commuter incentives, while others do not. Clarity & consistency needs to be set on the question.

• Amend CMAQ guidance related to vanpools
  o Current guidance refers to leasing of vanpools. Vanpool arrangements between the public and private sector are ‘contract for service’ agreements, not leases.
Question & Answers Related to CMAQ

To ask a question, please type it into the question box on your screen or use the chat function
FAST Act – STBG Program

(STBG) Surface Transportation Block Grant Program

• STBG replaces the Surface Transportation Program (STP)

• There are minimal differences between STBG and STP

• STBG has a wide array of eligibilities, including almost all TDM and employer based commuter programs.

• STBG funds are controlled jointly by MPOs and State DOTs (*more on that in a moment*)

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* Includes $835 million set-aside for TAP program

# Includes $850 million set-aside for TAP-Program
(STBG) Surface Transportation Block Grant Program – Local Control

- Increases rate of STBG apportionment to metropolitan regions by 1% per year until FY20 - total of 55% of program in FY20

<table>
<thead>
<tr>
<th>Year</th>
<th>% Controlled by MPO</th>
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<tr>
<td>FY 2015</td>
<td>50%</td>
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<tr>
<td>FY 2016</td>
<td>51%</td>
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<tr>
<td>FY 2017</td>
<td>52%</td>
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<tr>
<td>FY 2018</td>
<td>53%</td>
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<tr>
<td>FY 2019</td>
<td>54%</td>
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<tr>
<td>FY 2020</td>
<td>55%</td>
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- This change amounts an additional $3.4 billion over life of the bill
(STBG) Surface Transportation Block Grant Program – TAP Program

• Transportation Alternatives Program (TAP) is folded into the STBG program
• TAP maintains all programmatic rules and form – folding of TAP into STBG purely a structural and cosmetic change

What is TAP?

• Federal Funding program controlled by States and MPOs with eligible to be used on active transportation projects/programs including bike-trails, complete streets, safe routes to schools, and rails-to-trails.

• Eligibility expanded to include nonprofits with safety programs

• 50% of the funds allocated to a state for the TAP set-aside shall be directly sub-allocated to MPOs

• 50% of the funds shall be made available by the State through a competitive process

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<tr>
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<th>TAP Set-Aside</th>
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<tr>
<td>FY 2015</td>
<td>$819.9 million</td>
</tr>
<tr>
<td>FY 2016</td>
<td>$835 million</td>
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<tr>
<td>FY 2017</td>
<td>$835 million</td>
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<tr>
<td>FY 2018</td>
<td>$850 million</td>
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<tr>
<td>FY 2019</td>
<td>$850 million</td>
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<tr>
<td>FY 2020</td>
<td>$850 million</td>
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Question & Answers Related to STBG

To ask a question, please type it into the question box on your screen or use the chat function.
FAST Act – Planning Process

Changes to the Planning Process – Commute Less

• Requires that State and MPO long-range plans and TIPs include recognition and existence of intercity bus and commuter vanpool providers operating in a State or region regardless of contractual partnerships and that such plan and TIP include steps to develop and integrate these programs.

• Requires that MPOs participation plan specifically identifies and includes those who offer employer-based commuting programs (such as carpool, telework, vanpool, shuttle or parking-cash out) as well as private providers of public transportation.
Clarifies that the **Congestion Management Process** required for areas over 200,000, shall include TDM and employer-based commuting programs (such as carpool, telework, vanpool, shuttle or parking-cash out) as well as private providers of public transportation.

Allows States and MPOs to create a congestion management plan that develops **regional goals to reduce VMT during peak commuting hours** includes projects and programs to meet such plans. In developing the plan, MPOs shall consult with employers, TMAs, public, non-profit, and private providers of mass transportation.
Commuter Less – Next Steps

- ACT will work with USDOT on the development of Best Practices and Capacity Building

- Capacity building will include training for:
  - Employers and TMAs on how to engage in the planning process and what can be expected from doing so
  - MPOs and State DOTs and identifying TMAs, Employers, and others who can or are providing transportation solutions.
  - All parties on partnership opportunities and examples of projects and programs
FAST Act – Planning Process

Commute Less – Next Steps

• Work with House and Senate appropriators on setting aside planning and other funds to encourage MPOs to create such plans and provide adequate training and resources

• Develop legislation to amend the FAST Act in order to require these actions (either as a part of the planning process or performance measurement – see ahead)
Performance Measures

• No changes made to Section 150 on performance measurements
• DOT is incredibly late releasing final rules on performance measurements
  o DOT has yet to release Notice of Proposed Rule on:
    ➢ CMAQ
    ➢ System Performance
• New Performance Management Data Support Program
  o USDOT may use up to $10 million/year to increase the level of data that States and MPOs collect
    ➢ Potential for pilot projects
Question & Answers Related to Planning & Performance

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FAST Act – HOV-Tolling

• Requires that Tolling and HOV facilities provide the same access and terms to an over-the-road (intercity) bus as is provided to publically owned buses.

• Maintains language related to restrictions on allowing Non-HOV vehicles (HOT, energy efficient, etc.) requiring the HOV facility to maintain an adequate speed and flow.
FAST Act – HOV-Tolling

• Strengthens language regarding HOV facilities that fall into a state of degradation. Requires States to submit a plan on how to bring an HOV facility to standard. The State has 180 days to provide that report and USDOT must approve such plan.

  o Gives USDOT the authority to waive this section if its in the best interest of the travelling public.

• Restricts the ability of States to ‘hold’ slots in the Interstate Tolling program.
Innovation – University Transportation Centers

UTC Program remains under the OST-R Highway Research & Development, Technology and Innovation Deployment Program, and Training & Education program will be administered by FHWA

Authorization Levels:
$72,500,000 for fiscal year 2016
$75,000,000 for fiscal year 2017
$75,000,000 for fiscal year 2018
$77,500,000 for fiscal year 2019
$77,500,000 for fiscal year 2020

No changes made to the establishment and operation of the UTC program or ‘Role of Centers’
Innovation – Advanced Transportation & Congestion Management Technologies Deployment

- Discretionary program where USDOT will annually make grants to model deployment sites for large scale installation & operation of advanced technologies to address transportation problems.
- Eligible entities include public sector bodies (State/local body, transit agency, MPO, or a consortium of UTCs)
- 5 to 10 grants shall be made per year
- Funding for a program of projects, not individual applications
- Must partner with private sector
- Eligible activities include a wide variety of ITS and TDM projects

Authorization Levels:
$60,000,000 per year
Study to be conducted by USDOT on digital technologies including shared mobility, data, TNCs, and on-demand transportation services. The study shall look to:

• Understand the degree to which cities are adopting these technologies
• Assess future planning, infrastructure, and investment needs; and
• To provide best practices to plan for Smart Cities
Question & Answers Related to Tolling/HOV and Innovation

To ask a question, please type it into the question box on your screen or use the chat function
FAST Act – Transit

Transit

- Transit Formula
- Transit Capital Improvement Grants
- Positive Train Control Discretionary
- Other
FAST Act – Transit

Transit Formula Grants
• $9.3b in FY16 rising to $10.2b in FY20
• Removes requirement for areas over 200k people to spend a minimum of 1% on transit enhancements

Capital Investment Grants
• New Starts, Small Starts, Core Capacity
• $2.3b per year for FY16-20 through general appropriations
• Decreases federal match from 80% to 60% for New Starts
• Increases maximum Small Starts grant and projects costs from $75m to $100m
• And $250m to $300m, respectively
• Opens eligibility to include joint public transportation and intercity passenger rail projects
• Capital investment grant projects with P3 elements will be streamlined by USDOT
FAST Act – Transit

Bus and Bus Facilities
• $428m FY16 rising to $465m in FY20 for formula
• Reestablishes discretionary grant program with $268m in FY16 rising to $344m in FY20
• $55m per year within the discretionary funds will be reserved for low and no emission bus program

Other
• Fixed Guideway SGR funded at $2.5b in FY16 rising to $2.68b in FY21
• High Density State Apportionment flat line funding FY16-20
• TOD pilot program funded at $10m per year
• Buy-America increases from 60% domestic content of rolling stock in FY16 up to 65% in FY18 and up to 70% in FY20
Question & Answers Related to Transit

To ask a question, please type it into the question box on your screen or use the chat function
FAST Act – Freight

National Highway Freight formula program
• Formula program with $1.15b in FY16 rising to $1.5b in FY20
• State apportionments are based on current highway formulas, not the amount or value for tonnage of freight moving through a state
• Pre-determines which projects are best for local and state leaders by requiring a minimum of 90% of a state’s funding go to highways

Nationally Significant Freight and Highway Projects:
• Discretionary program with $800m in FY16 rising to $1b in FY20
• Projects over $100m and 30% of state apportionment
• 60% federal match and grant awards must exceed $25m
• Caps funding for multimodal projects at $500m (11% of program) for entire 5 years
• Opens back-door to reintroduce earmarks
Final Questions & Answers

Resources:
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Pavluchuk@Actweb.org