



U.S. Department of Transportation
Federal Highway Administration

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

September 2012

After 10 extensions, a 27-month bill

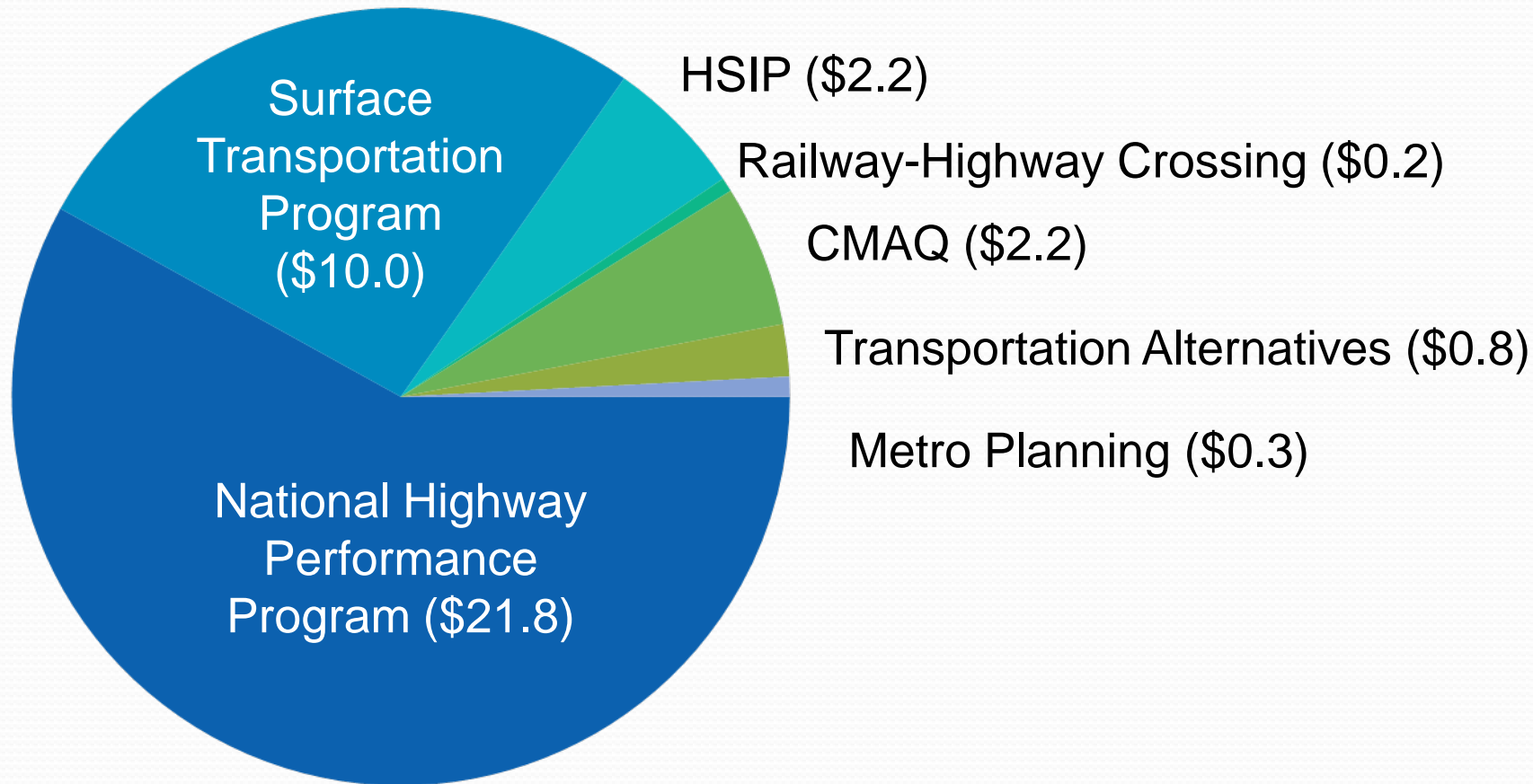
- SAFETEA-LU expired on 9/30/09
- 10 extensions (final one from 7/1/12 - 7/6/12)
- Strong bipartisan vote for 27-month transportation bill
 - Passed 373-52 in the House
 - Passed 74-19 in the Senate
- Also includes major non-transportation provisions, e.g.,
 - Extension of 3.4% interest rates for student loans
 - Reauthorization of flood insurance program

Apportioned programs

Program structure

MAP-21	Current Law
National Highway Performance Program (NHPP)	NHS, IM, & Bridge (portion)
Surface Transportation Program (STP)	STP & Bridge (portion)
Congestion Mitigation & Air Quality Improvement Program (CMAQ)	CMAQ
Highway Safety Improvement Program (HSIP)	HSIP (incl. High Risk Rural Roads)
Railway-Highway Grade Crossing <i>(takedown from HSIP)</i>	Railway Highway Grade Crossing
Metropolitan Planning	Metropolitan Planning
Transportation Alternatives <i>(set aside from NHPP, STP, HSIP, CMAQ, and Metro Planning)</i>	TE, Recreational Trails, and Safe Routes to School

\$37.7 billion/year in formula funding



Note: Amounts in \$ billions; individual program amounts do not add exactly to total due to rounding

A new approach to formulas

Authorize lump sum for all apportioned programs

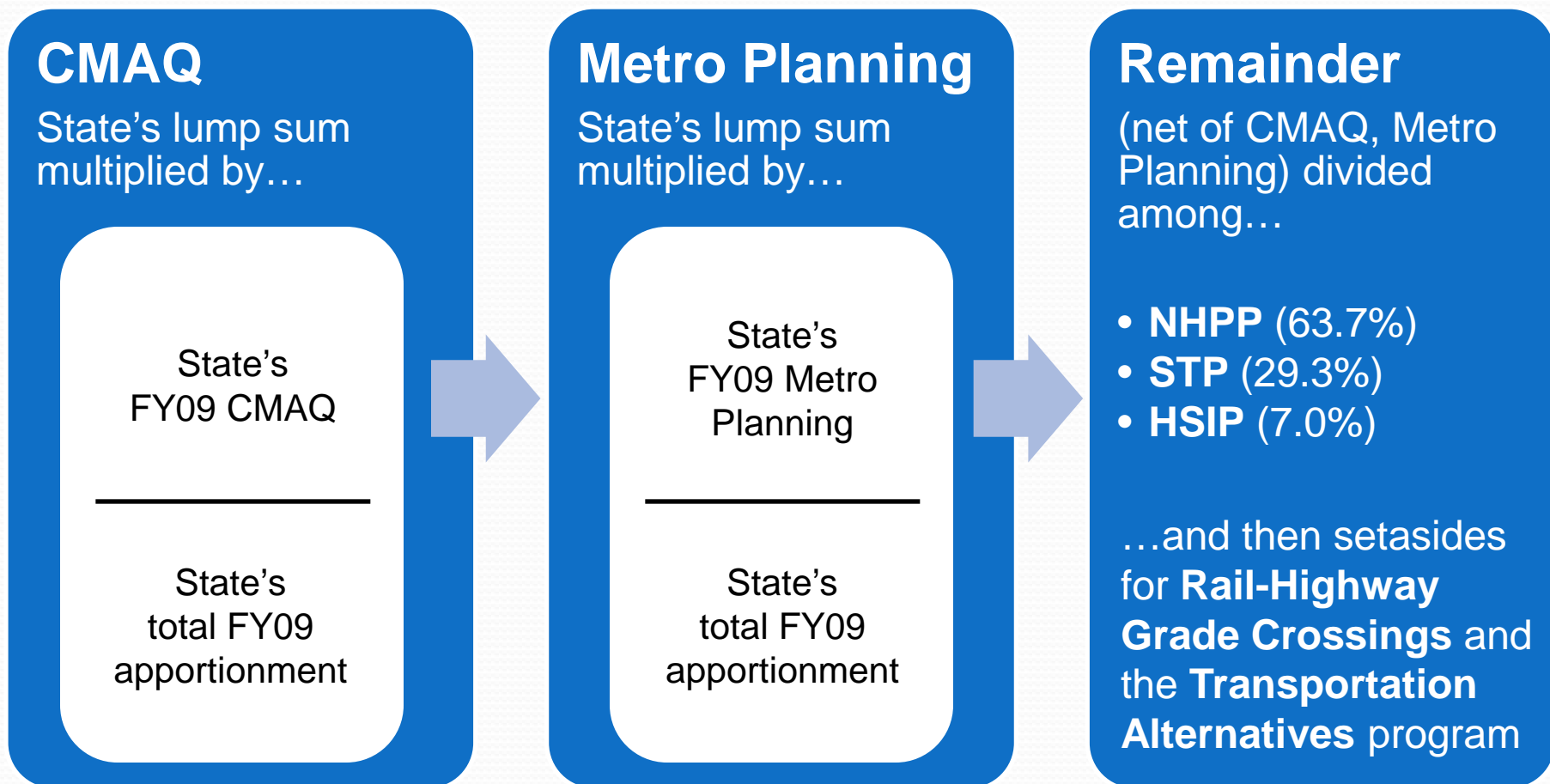


Calculate total amount to apportion to each State



Divide State lump sum among programs

Division of a State's apportionment among programs



What does this mean for Kentucky?

FY 2012 Estimated Apportionments	\$643,590,231
FY 2013 Estimated Apportionments	\$643,590,231
FY 2014 Estimated Apportionments	\$649,105,868

National Highway Performance Program (NHPP)	\$391,819,968
Surface Transportation Program (STP)	\$180,224,883
Highway Safety Improvement Program (HSIP)	\$43,057,139
Congestion Mitigation & Air Quality (CMAQ)	\$13,191,338
Metropolitan Planning	\$2,414,758
Transportation Alternatives (TA)	\$12,882,145
Totals	\$643,590,231

National Highway Performance Program (\$392M in 2013)

- Funds an enhanced National Highway System, combining functions of the existing NHS, IM and Bridge Programs
- Enhanced NHS includes existing NHS, all principal arterials, STRAHNET, and intermodal connectors
- Requires an asset management plan
- States set targets for conditions and performance
- Min. standards for Interstate & bridge conditions in a State
 - DOT to set minimum standard for Interstate pavement condition
 - Law sets standard for NHS bridges -- no more than 10% of deck area may be structurally deficient

Enhanced NHS in Kentucky

	Miles	Lane Miles	Travel (vmt)
2009 NHS	2,887	10,804	59,094,881
Enhanced NHS	4,006	13,932	71,403,405

Surface Transportation Program (\$180M in 2013)

- Continued flexible funding for Federal-aid highways, plus safety and bridges on any public road
- Eligibility for transportation enhancements, rec trails, ferry boats, consolidated border infrastructure program, truck parking facilities, and safe routes to schools (no set-aside)
- 50% of funds subject to suballocation based on population
- Rural provisions enhanced
 - Rural planning organizations, if any, must be consulted
 - Up to 15% of rural suballocation may be spent on minor collectors

Highway Safety Improvement Program (\$43M in 2013)

- Dramatically increases size of existing program
- Maintains current structure; adds requirement for regular update of the strategic highway safety plan
- Keeps setaside (\$220M/year) for rail-highway grade crossings
- No high risk rural roads setaside unless safety statistics worsen
- Secretary to establish measures and States to set targets for number of injuries and fatalities (and number per VMT)
- Strengthens link between HSIP and NHTSA programs

Congestion Mitigation & Air Quality Improvement Program (\$13.2M in 2013)

- Continues the current program with changes
- Performance plans for large TMAs (to include air quality and congestion measures)
- States with PM 2.5 areas must use a portion of their funds to reduce PM 2.5
- Some expanded authority to use funds for transit operations
- Explicit support for installation of facilities serving electric or natural gas-fueled vehicles
- CMAQ outcomes assessment study required

Transportation Alternatives (TA) (\$12.8M in 2013)

- Incorporates eligibilities from many current programs
 - Most (but not all) formerly Transportation Enhancement activities still eligible
 - Recreational trails program
 - Safe Routes to Schools program
 - Planning, designing, or constructing roadways within the ROW of former Interstate or other divided highways
- Similar funding level to TEs under SAFETEA-LU
 - Total TA \$ equal to 2% of MAP-21 highway funding
 - Funded via takedown from each State's formula funds
 - 50% sub-allocated for more local control
 - 50% State allocation can be transferred to other formula programs

Other programs/ key provisions

Federal Lands & Tribal Transportation

Generally followed Administration's proposed structure:

	Annual \$
Federal Lands Transportation Program (with new partners)	\$300 million
Federal Lands Access Program	\$250 million
Tribal Transportation Program (new formula for distribution among tribes)	\$450 million

TIFIA

- Lending capacity expanded – up to \$17 billion in credit assistance over 2 years
- Notice of Funding Availability released July 27, 2012
- Program reforms
 - Letters of Interest / applications accepted throughout the year
 - Allows TIFIA participation for up to 49% of eligible project costs
 - Master credit agreement for programs of projects (secured by a common pledge) or phased single projects
 - Allows up to 10% to be set aside for rural projects; for these projects, increased eligibility and lower interest rates

Tolling/pricing provisions

- Expands Section 129 (general toll program)
 - Mainstreams tolling/pricing of new capacity, including Interstate (but generally requires current level of free capacity to remain unchanged)
 - Removes requirement for USDOT/State toll agreements
- Extends Section 166 (HOV to HOT conversions)
 - Removes requirement for USDOT/State toll agreements
- Extends Value Pricing Pilot Program (congestion pricing) – but without discretionary grants
- Extends Interstate System Reconstruction and Rehabilitation Pilot Program (allows tolling of all lanes)
- Requires toll interoperability on Fed-aid highways within 4 years

Emergency Relief Program

- Authorized at \$100 million per year
- State must apply and provide a complete list of project sites and costs within 2 years of event
- May not exceed cost to repair/reconstruct comparable facility
- Emergency repairs—
 - Option for Secretary to extend the 180-day limit on emergency repairs at 100% when access to damaged areas is limited
 - For permanent repairs, up to 90% share if cost \geq State's annual apportionments
- Debris removal from Stafford Act disasters funded by FEMA
- Maintenance/operation of additional ferryboats or transit eligible as substitute service

Performance management

- MAP-21 identifies national goal areas
- USDOT establishes measures, with input
- States set targets
- State & metro plans describe how the organization will use program and project selection to help achieve targets
- States report to USDOT on progress toward targets (within 4 yr of enactment; biennially thereafter)
- Reports typically lead to corrective actions (not sanctions)
- Consequences if condition of NHS falls below thresholds

Accelerating project delivery

- Any State can choose to assume specific CE designations in FHWA NEPA regulations
- Use of construction manager/general contractor (CMGC) method of contracting
- Accelerated completion of complex projects (4 years) when State requests technical assistance
- Demonstration project for lump sum payments for purchase of ROW
- Increased Federal share for some innovative techniques

Accelerating the environmental process

- Environmental review process streamlining
 - FEIS and ROD combined in certain conditions
 - Allows for the use of planning products in the NEPA process (PEL)
 - Deadlines for issue resolution, with penalties for agencies
 - Programmatic mitigation plans
 - Reduced statute of limitations on claims (150 days, not 180)
- Expanded authority for categorical exclusions
 - Multi-modal projects
 - Projects to repair roads damaged in declared emergency
 - Projects within existing operational right-of-way
 - Projects receiving limited Federal assistance

Other provisions

- Revised bridge inspection rules (+ tunnel inspections)
- Uniform Relocation Act payment levels updated and may be updated in future through regulation
- Under revised Buy America, any federal funds on contract cause application to entire project
- Higher threshold for value engineering requirements; not required off NHS, or for design-build
- State may allow limited commercial activity in Interstate rest areas; commercial activities may be privately operated

Next steps

- Communication
 - Webpage
 - Summary
 - Fact sheets and Q&As
- Implementation
 - October 1 “phase in”
 - Transitional procedures
 - Follow-on guidance and regulation
- <http://www.fhwa.dot.gov/map21>