

P.L. 114-94

Fixing America's Surface Transportation (FAST) Act

Key Highway Provisions

Dan Mathis, FHWA WA Division Administrator
January 2016

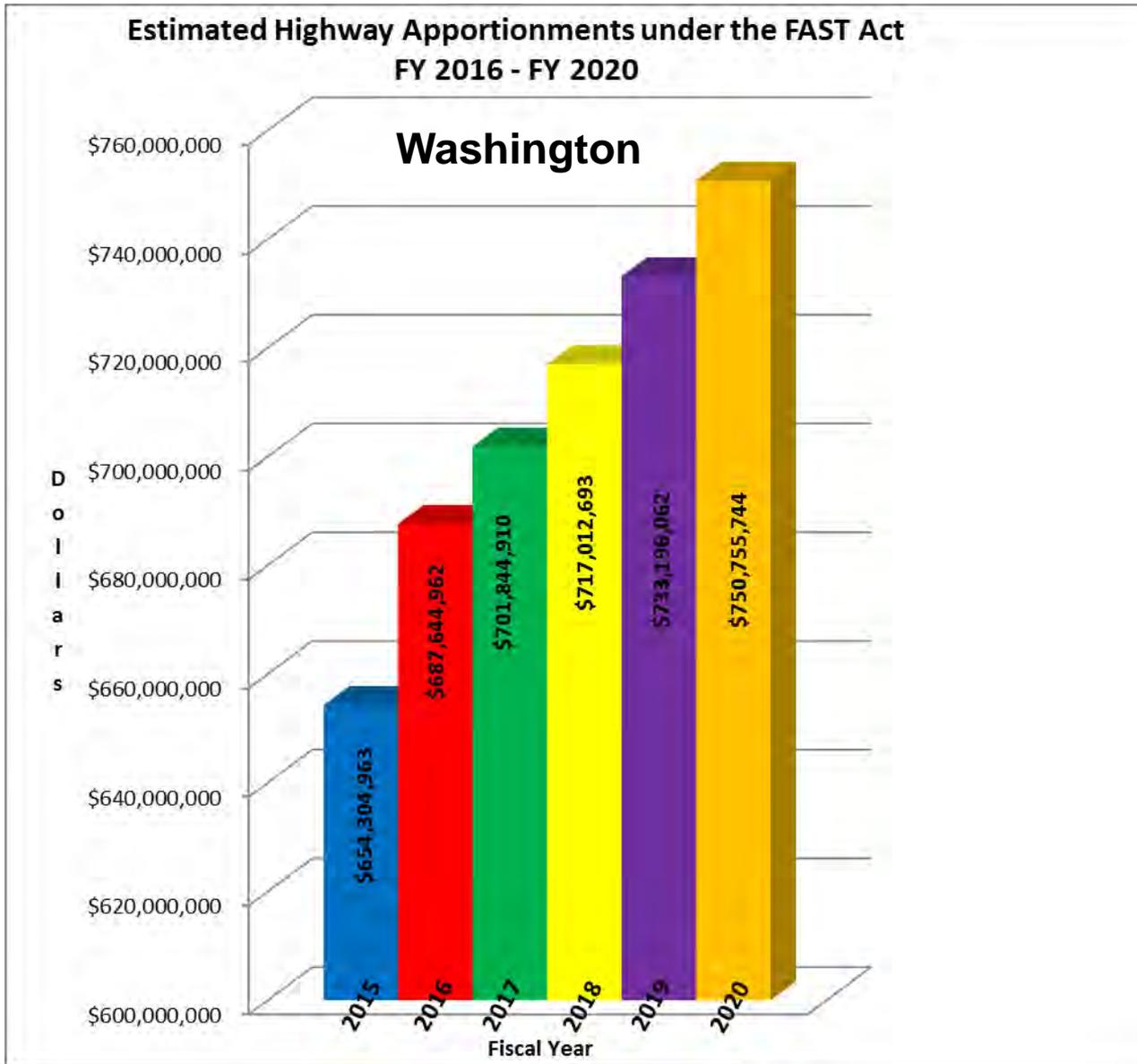


U.S. Department
of Transportation

**Federal Highway
Administration**

Key Highway Facts

- \$226.3 B for highways over five years (FY 2016-2020)
 - \$225.2 B in contract authority (92% apportioned = \$207.4 B)
 - \$1.1 B from the General Fund
- Builds on the program structure and reforms of MAP-21
- Continued focus on accelerating project delivery
- Adds a new freight formula and expands freight network
- Adds a new discretionary program for nationally significant freight and highway projects
- Provides a new tribal self-governance option



(before post-apportionment set-a-sides; before penalties; before sequestration)

National Highway Freight Program | **NEW**

- \$1.2 B / year (average), apportioned to States by formula
- Eligible activities include construction, operational improvements, freight planning and performance measures
- Highway focus, but $\leq 10\%$ for rail/port/intermodal projects

Natl. Significant Freight & Hwy. Projects | **NEW**

- \$900 M/year (average) for competitive grants
- Eligible activities:
 - Highway freight projects on National Highway Freight Network; NHS highway/bridge projects; Freight rail/intermodal/port projects ($\leq \$500$ M over 5-year period); and Rail-highway grade crossing or grade separation projects
- States, large MPOs, Tribes, localities, and FLMAs may apply

Accelerating Project Delivery

A major theme of the FAST Act, with 18 separate provisions in the highway title alone.

Highway Design

USDOT to consider AASHTO Highway Safety Manual, NACTO Urban Street Design Guide

Federal Lands & Tribal Programs

Program	Average Annual Funding (millions)	Change from FY 2015
Federal Lands Transportation Program <i>National Park Service</i> <i>Fish & Wildlife Service</i> <i>Forest Service NEW</i> <i>Remainder (competitive)</i>	\$ 355 [284] [30] [17] [24]	+18.3%
Federal Lands Access Program	260	+4.0
Tribal Transportation Program	485	+7.8
Nationally Significant Federal Lands and Tribal Projects (General Fund) NEW	100	+100

Federal/Tribal Lands Program Changes

- Tribal Transportation Program
 - Less funding for BIA/FHWA oversight; more funding for tribal bridges
 - New annual reporting by Tribes
- Federal Lands Transportation Program
 - New partners: Bureau of Reclamation and other independent agencies
 - Dedicated funds for Park Service, Fish & Wildlife, Forest Service **NEW**
- Emergency Relief
 - Clarified eligibility for debris removal on ERFO-eligible facilities
 - Access program facilities no longer eligible for 100% Federal share
- Nationally Significant Federal Lands & Tribal Projects | **NEW**
 - Discretionary grants for large Federal and tribal lands projects
 - All funds subject to appropriation

Tribal Self-Governance Program | **NEW**

- More responsibility and flexibility for participating Tribes
 - Tribe assumes responsibility for use of highway/transit funding
 - Tribe receives significant flexibility in use of funds
 - Funding must be used for the authorized purpose
- To participate, Tribe must demonstrate three FYs of financial stability and capability in financial and program management
- DOT and Tribal relationship/terms specified in multi-year compact
- Under annual agreement, Tribe plans, consolidates, and receives—
 - Full Tribal share funding
 - Tribal transit formula funding
 - Discretionary/competitive grant funding administered by DOT
- DOT to initiate negotiated rule within 90 days; NPRM in 21 months

FAST Act Websites

- FHWA's: <http://www.fhwa.dot.gov/fastact/index.cfm>
- FTA's: <http://www.fta.dot.gov/FAST.html>
- AASHTO's:
<http://fast.transportation.org/Pages/default.aspx>